

# NAVAL POSTGRADUATE SCHOOL

## Monterey, California



## THESIS

**The Military As A Hindrance In Mexico's Consolidation Of  
Democracy**

by

Sergio Villarreal

December 2001

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**THE MILITARY AS A HINDRANCE IN MEXICO'S CONSOLIDATION OF  
DEMOCRACY**

Sergio Villarreal  
Captain, Texas Army National Guard  
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Submitted in partial fulfillment of the  
requirements for the degree of

**MASTER OF ARTS IN INTERNATIONAL SECURITY & CIVIL-MILITARY  
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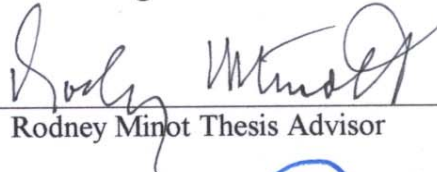
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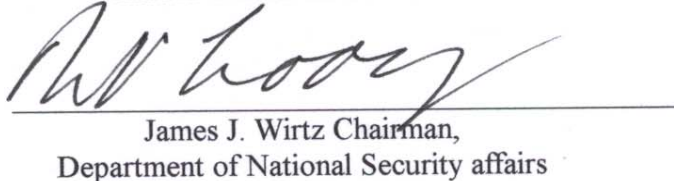
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## **ABSTRACT**

The argument in this thesis is that the Mexican military stands as a hindrance in Mexico's consolidation of democracy because of the lack of executive and legislative controls over the armed forces, and military prerogatives. The loss of power by the Institutional Revolutionary Party (PRI) left a void of control over the military and no other legal mechanisms exist to control the military. The military's prerogatives include a unique relationship to the chief executive, active-duty military participation in the cabinet, a role in intelligence and police functions and others. These prerogatives make them autonomous, intrusive in society, and are turning the country into a militarized zone, and when coupled with the lack of controls over the military, equates to a volatile mixture needing only a spark to set off an explosion of military contestation of authority. A threat to their prerogatives by politicians or the president could in the future be the spark that ignites that dangerous mixture into a contestation of authority that hinders the democratic process.

Finally, the problems with insurgency, drugs, and crimes have caused the government to leave the affairs of internal security to the military, giving them more prerogatives. As a result, the military has expanded its presence throughout Mexico and fulfills many functions in society, and when coupled with a lack of executive and legislative controls over the military, hinders the consolidation of democracy.

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## EXECUTIVE SUMMARY

After the beginning of the third wave of democratization in 1974, more than 80 countries have transitioned to democracy. With its first nationwide democratic elections in July 2000, and President Vicente Fox's assumption of his duties in December, Mexico became the most recent country in Latin America to transition to democracy. Because Mexico currently has the necessary state institutions in place and is achieving economic prosperity for a successful transition, it now needs to consolidate its democracy. However, the establishment of civilian control of the military apparatus along democratic lines is the neurological point of democratic consolidation,<sup>1</sup> and clearly, that is not the case in Mexico.

With the Institutional Revolutionary Party's (PRI) loss of power after ruling Mexican politics for 71 years, remained a void of control over the military since it used to fill the gap left open from the lack of executive and legislative controls. The lack of these types of controls and the level of prerogatives enjoyed by the military create a volatile mixture that could explode into the contestation of authority if left unchecked.

Before 1946 when Miguel Aleman became the first civilian president, military leaders ruled Mexico, and the subsequent relationship with the PRI did not require additional controls over the military. The lines of authority from the president to the military today does not have a buffer of trained civilian authorities that can exercise control over the military, like those found in consolidated democracies. In fact, four active duty generals serve on the president's cabinet such as the secretary of national defense, the attorney general, secretary of the Navy, and the chairman of the joint chiefs. In theory, the Mexican legislature has certain token constitutional controls but has never exercised investigative, oversight, and accountability measures over the military, all needed for effective civilian democratic controls.

The level of military prerogatives exacerbates the issue with the lack of executive and legislative controls. For example, the military "assumes they have an acquired right or privilege, formal or informal, to exercise effective control over its internal governance,

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<sup>1</sup> Przeworski, Adam. "Democracy and the market." Cambridge University Press, Pg. 29.

to play a role within extra-military areas within the state apparatus, or even structure relationships between the state and political or civil society.”<sup>2</sup> The Mexican military is very autonomous and fulfils many functions in society, as seen by the prerogatives listed below.

An autonomous military is one with a high number of prerogatives which allows them to manipulate the civilian leadership, influence public policies, and can distance itself from other institutions at will. Also, with increased internal missions in society, the prerogatives have allowed the military to increase their presence throughout the countryside by increasing their jurisdictions from 10 to 12 military regions. Furthermore, as security problems become more complex because of increased insurgency and terrorist movements, as well as illegal drug activity, the military will continue militarizing the Mexican countryside.

A review of the literature reveals that social and political scientists and other experts have grossly understudied the Mexican military. The bottom line seems to be that observers of democratic transitions lack the academic interest in studying the Mexican military because of the absence of dramatic military coups and the contesting of authority. However, they are mistaken. Dictatorships, military regimes, and violent power struggles from 1821 to 1860, gave way to at least 50 different presidencies.<sup>3</sup> Power struggles between repressive Caudillos such as Santa Anna and others, as well as bad economic conditions, further brought about civil war between 1910 and the 1920s. The end of the civil war gave rise to the government of General Plutarco Diaz, and a short time later, the National Revolutionary Party (the antecedent of the PRI) was born in 1929.<sup>4</sup> While the PRI-military pact that emerged further put an end to armed strife in Mexico, it marked the beginning of the PRI-military relationship.<sup>5</sup> However, it wasn't until 1946 that a group of army generals offered the presidency to Miguel Aleman,

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<sup>2</sup> Ibid. Pg. 93.

<sup>3</sup> Skidmore, Thomas E., and Smith, Peter H. “Modern Latin America.” Oxford University Press (2001). Pg. 220.

<sup>4</sup> Correspondence and interview via the internet with Jorge-Luis Sierra, security specialist on Mexico in Mexico City. [jlsierra@hotmail.com](mailto:jlsierra@hotmail.com). Date: November 14, 2001.

<sup>5</sup> Schedler, Andreas. “Mexico’s Victory, The Democratic Revelation,” Pg. 6. Journal of Democracy, Volume 11, Number 4. Oct. 2000.

becoming the first civilian president, but only accepted under the condition that he would grant absolute cooperation and respect for the military institution.<sup>6</sup> This review of Mexican history reveals the fact that the military does have a dangerous legacy of contestation of authority, which might explain why President Fox is attempting to win the military's loyalty by appointing generals to cabinet positions. This practice, as well as the prerogatives enjoyed by the Mexican military, runs counter the democratic process.

Mexico's transition to democracy has left a void of control over the military after toppling the PRI regime, especially since there are no executive and legislative controls in place. As a result, the military's autonomy, its prerogatives, and their internal missions is a volatile mixture just waiting for a spark to set off an explosion of contestation of authority. However, a threat to the military's prerogatives could set off that explosion, while its legacy of contesting authority shows it will respond when threatened or challenged. For these reasons, the Mexican military stands as a hindrance to Mexico's consolidation of democracy.

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<sup>6</sup> Ibid.

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## I. INTRODUCTION

It has been argued that democratization in the world has occurred in waves in history's recent past. The momentous reason behind the drive towards democratization is the belief that "democracies rarely wage war on one another."<sup>7</sup> Others argue that the "quest for freedom from hunger and repression has triggered in recent years a worldwide movement toward political democracy and economic rationality."<sup>8</sup> One wave began right after World War II when the United States forced Japan to democratize.<sup>9</sup> While many years later, the third wave of democratization began with the over-throw of the Portuguese dictatorship in April 1974,<sup>10</sup> and since then, more than 80 countries have transitioned to democracy.<sup>11</sup>

In the Western Hemisphere, it was only recently that Mexico made political history when it evolved into a new democracy in July 2000. The election of President Vicente Fox brought about the downfall of Mexico's civilian authoritarian government, which ruled Mexican politics for 71 years under the direction of the Institutional Revolutionary Party (PRI). However, despite the successful transition, Mexico still has to grapple with the consolidation of its democracy.

Many democratic transitions in Latin America are still struggling to consolidate their gains because their main problems stem from their failure to establish civilian control over their armed forces following military dictatorships. In contrast, many erroneously assume that because Mexico had a civilian authoritarian regime and a non-threatening military, that its consolidation phase will not be affected by the military. Contrary to this belief, this thesis will argue that several critical issues surrounding the

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<sup>7</sup> Gowa, Joanne. "Bullets and Ballots." Princeton University Press, Princeton, New Jersey. Pg. 3.

<sup>8</sup> Przeworski, Adam. "Democracy and the Market." Cambridge University Press (1991). Preface page.

<sup>9</sup> Center for Civil-Military Relations web site. Naval Postgraduate School, [www.ccmr.org](http://www.ccmr.org). Week 4, Regimes and Democratization.

<sup>10</sup> Diamond, Larry. "Developing Democracy. Towards Consolidation." The Johns Hopkins University Press (1999). Pg. 24.

<sup>11</sup> Center for Civil-Military Relations web site. Naval Postgraduate School, [www.ccmr.org](http://www.ccmr.org). Week 4, Regimes and Democratization.

Mexican military today cause it to stand as an obstacle in Mexico's consolidation of democracy.

The argument that the military stands as a hindrance to Mexico's consolidation of democracy brings to light certain assumptions that merit a closer analysis. To support this claim, this author reviews many Mexican primary and secondary sources for relevant data. The literature on democratic transitions in other countries, and the influence exerted in that process by their militaries, provides the intellectual bridge with which to cross over and analyze the raw data emerging from Mexico's democratization.

Therefore, applying the general lessons learned about democratization in other countries to Mexico's attempt at consolidation, the following assumptions are addressed to support the main argument of this thesis.

- The fall of the PRI from power left a void of control over the military
- Mexico lacks democratic controls over the military and the intelligence service
- Based on the military's prerogatives, the military has a high level of autonomy and therefore, poses a threat to Mexico's democracy
- An absence of a legacy of coups and contestation of civilian authority does not equate to a docile military
- Mexico is becoming a militarized zone measured by the armed force's presence throughout the country, and the military's role in society
- Mexico's three main problems stemming from insurgency, crime, and drugs, will further cause the increase of the armed force's role in society

By addressing these assumptions, evidence will prove that the Mexican military does matter in the transition process, and in fact, stands as a hindrance in Mexico's consolidation of democracy.

In his discussion of democracy as an equilibrium, Adam Przeworski refers to the militaries in regime transitions as being "the neurological point of democratic consolidation."<sup>12</sup> Furthermore, political scientists like Linz, Stepan and Aguero argue that controlling the military apparatus is tantamount to the consolidation of any democracy because of its role in the legitimate use of force in society.

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<sup>12</sup> Przeworski, Adam. "Democracy and the market." Cambridge University Press, Pg. 29.



Many would argue that the Mexican military does not pose a threat in Mexico or to the peace and stability of the region, and as a result, it has been understudied. It is precisely due to this lack of understanding of the Mexican military that has caused researchers to miss the point of why the PRI successfully ruled Mexican politics for 71 years. While Mexico's political regime, economics, and other elements have been studied to some degree, it has only occurred superficially compared to those of other Latin American countries such as Argentina, Brazil, and Chile. This academic neglect by U.S. scholars may also be due to a common argument that Mexico's civil-military system has been very stable and non-violent and therefore, does not merit a closer analysis. In fact, a cursory review of the literature reveals that social and political scientists and other experts have grossly understudied the Mexican military. The bottom line seems to be that observers of democratic transitions lack the academic interest in studying the Mexican military because of the absence of dramatic military coups and the contesting of authority.

In the next chapter, I establish a theoretical framework to support the main argument. First, the four-step process of democratization argued by Political Scientist George Sorensen is briefly explained, followed by a discussion of where Mexico stands today in the process of democratization. Second, special emphasis is given to the levels of military contestation and prerogatives as argued by Stepan, and institutionalization of the military regime and its prerogatives as discussed by Aguero. This step is central to this chapter because it sets the foundation of why the military apparatus does matter in Mexico's consolidation of democracy. The third step will include a discussion of controls and oversights exercised over the military's roles and missions in America's democracy, as well as those controls exercised by ministries of defense. Chapter III will discuss the non-democratic practices still being exercised in Mexico, despite its recent transition. The premise is that even though a transition did occur, nothing else has changed in the control of the military and its prerogatives, and therefore, poses a threat to Mexico's consolidation of democracy. In Chapter IV, I will analyze the roles and missions of the Mexican military in internal security, and the militarization of the country by the expansion their areas of operations and jurisdiction. In Chapter V, there will be an analysis of the emerging problems since Mexico's transition to democracy. Finally, in

Chapter VI, there will be a conclusion of the analysis of Mexico's consolidation efforts, and it will include a set of recommendations.

## **II. RESEARCH DESIGN: DEMOCRACY, DEMOCRATIC TRANSITIONS, AND CONTROL OF THE MILITARY**

### **A. WHAT IS DEMOCRACY ALL ABOUT?**

Democracy is not simply characterized by free and fair elections. Even people in the U.S. Department of State who analyze other countries as part of their job have erroneously concluded that Mexico became fully democratized once they achieved “free and fair elections.”<sup>13</sup> However, democratization is certainly allot more than that. What is democracy?

Because of the many critical issues countries have to resolve before they can be considered democratic, the definition of democracy is somewhat elusive. In fact, political scientists disagree on the details of the definition and how it is measured.<sup>14</sup> In his book “Patterns of Democracy,” Political Scientist Arend Lijphart promotes Robert Dahl’s definition of democracy as still commanding wide support, and containing the following eight criteria:

- The right to vote
- The right to be elected
- The right of political leaders to compete for support and votes
- Elections that are free and fair
- Freedom of association
- Freedom of expression
- Alternative sources of information, and
- Institutions for making public policies depend on votes and other expressions of preference.

Other theories discussed in this chapter, coupled with evidence from Mexico’s transition in subsequent chapters, will prove that Mexico’s success at consolidation depends on other issues that go beyond those provided in this or any other definition.

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<sup>13</sup> This argument is the general consensus between the Deputy Director of Mexican Affairs and his staff at the U.S. Department of State. This author conducted an interview with these officials on September 26, 2001.

<sup>14</sup> Lijphart, Arend, “Patterns of Democracy.” Yale University Press, 1999. Pg. 48.

In studying transitions to democracy, George Sorensen characterized it as being a four-step process, and illustrated below.<sup>15</sup> The democratization process normally begins with the people *uniting* as a nation and proceeding to the preparatory phase, where certain actions take place that will provide the opportunity for change. A change in this step is the breakdown of the non-democratic regime. The *decision* phase, which just occurred in Mexico with the exercise of free and fair elections, is where democratic order begins. The final phase is the *consolidation* of democracy.

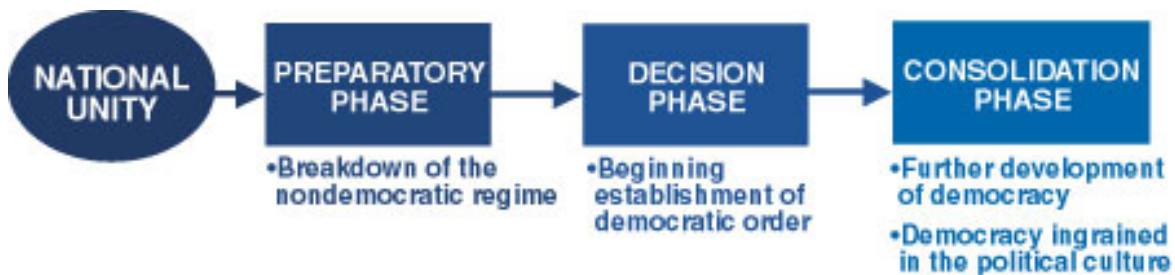


Figure 1. Sorensen's Democratization Processes

It is precisely in the last stage that Mexico finds itself in this process—struggling to consolidate its democracy. The main thrust of this thesis is an examination of this process as it relates to civil-military relations. Doctor Larry Diamond with the Hoover Institution suggests that consolidation of fragile democracies requires three generic tasks including democratic deepening, political institutionalization, and regime performance.<sup>16</sup> However, much like a physician would triage mass casualties to treat the most serious patients first, Mexico will have to identifying and address those factors that actually *hinder* its transition to democracy, before they pursue anything else.

Since Mexico already has in place many of the important institutions necessary to consolidate its democracy, deepening of democracy is its most important generic task. Diamond further suggests that democratic deepening makes the formal structures of democracy more liberal, accountable, representative, and accessible, essentially democratic.<sup>17</sup> Within this important task is found the issue of civil-military relations, an important element of democracy. This need for controlling the military and its

<sup>15</sup> Sorensen, George "Democracy and Democratization: Processes and Prospects in a Changing World." Westview Press, 1998.

<sup>16</sup> Diamond, Larry. "Developing Democracy, Toward Consolidation." The Johns Hopkins University Press, 1999. Pg. 74.

<sup>17</sup> Ibid.

intelligence branch can be summed up in the following two observations. “The greatest ‘sin’ intelligence organizations can commit in a democracy, is that of turning the intelligence tools against the very people they want to protect.”<sup>18</sup> Furthermore, the greatest ‘sin’ military institutions can commit in a democracy, is that of turning the tools of war against the very people they want to protect.

A central idea of democracy evolves around two major issues, civilian control of the military in domestic affairs and of the intelligence service. According to Diamond, when a military leadership is involved in the political process and fulfills other internal roles, it erodes the military’s distinct role as a defender of the country and the people.<sup>19</sup> Therefore, democratic consolidation normally requires a strategy that reduces the influence of the military in non-military issues and functions, and civilian control and oversight is established over broad military and national security policies.<sup>20</sup>

## **B. THE MILITARY IN DEMOCRATIC TRANSITIONS**

Having made the point that control of the military is key to the consolidation of democracy, the following discussion examines factors present in civil-military relations in the pre and post transition period. Special emphasis is given to the levels of military contestation and prerogatives as argued by Alfred Stepan of Columbia University, and institutionalization of the military regime and its prerogatives as discussed by Felipe Aguero. Although both authors write about the transition from military authoritarian regimes, their theories and practical applications in understanding the influence of militaries still apply to Mexico’s transition. Furthermore, sample cases will be discussed to effectively argue that the combination of low contestation and high military prerogatives as they exist in Mexico is a dangerous mixture. Also, because the prerogatives in the countries discussed pose a danger to their own democracies, we can conclude that the same type of danger exists in Mexico because it shares similar prerogatives to the other troubled nations.

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<sup>18</sup> Johnson, Loch. “America’s Secret Power: The CIA in a Democratic Society.” Oxford, 1989. Ch. 4, “Seven Sins of Strategic Intelligence.” Pg 73.

<sup>19</sup> Ibid. Pg. 114.

<sup>20</sup> Diamond, Larry. “Developing Democracy, Toward Consolidation.” The Johns Hopkins University Press, 1999. Pg. 114.

In “Rethinking Military Politics,” Stepan contributes to the analysis of military authoritarian regimes and their power to influence civil-military relations outcomes. In setting the stage for his discussion, he relies on the classic sociology of Max Weber when he said that “the monopoly of the legitimate use of physical force” is part of the definition of the modern state.<sup>21</sup> Focusing on this issue, Stepan further clarifies the requirement for the control of such a monopoly. “For polities that aspire to be democracies, a complex range of norms, institutions and practices must be constructed socially, constantly reconstructed, and continually brought to bear so that a democratic polity in fact shapes, monitors, and controls the means of force that are an intrinsic part of both its ‘stateness’ and its democracy.”<sup>22</sup>

### **1. Contestation and Prerogatives**

Applying Stepan’s theory of the relationship between the level of contestation and prerogatives to any military apparatus helps determine the level of autonomy enjoyed by that force. Also, because with this theory one can identify the actual prerogatives held by a military force, it provides a basis by which to develop a policy prescription to tip the balance of power to civilian rule. There are several factors necessary in establishing democratic controls over the military, but three are particularly more relevant than the others.<sup>23</sup> The first deals with “the dimension of the articulated military contestation against the policies of the newly elected democratic leadership.”<sup>24</sup> The second is the dimension of military institutional prerogatives. Central to these two dimensions is the military’s on-going fear of being held accountable for human rights violations once the transition to democracy occurs. The third dimension deals with the issue of transparency and accountability for the defense budget, from appropriations to its actual expenditure and accountability.

The first dimension of military *contestation* against civilian authority usually occurs when the new civilian leadership threatens the military apparatus in some way or another. Deposed military leaders normally try to secure an amnesty for themselves and

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<sup>21</sup> Stepan, Alfred. “Rethinking Military Politics.” Princeton University Press 1998. Pg. ix.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid. Pg. 68.

<sup>24</sup> Ibid.

their followers once the new regime takes over, and when threatened with prosecution, they challenge the state. Examples of contestation in other countries have occurred because of the new government's desire to restructure the military's mission (from internal to externally focused), or to establish strong control mechanisms.

Stepan uses eleven prerogatives used to determine how much a military has at stake upon exiting from governing, while serving as a tool to determine how autonomous they are. Using his terms, "prerogatives are a prior, exclusive, or peculiar right of privilege, and, as a faculty or property by which a being is especially and advantageously distinguished above others."<sup>25</sup> In this area, the military as an institution "assumes they have an acquired right or privilege, formal or informal, to exercise effective control over its internal governance, to play a role within extra-military areas within the state apparatus, or even structure relationships between the state and political or civil society."<sup>26</sup> Listed in the table below are Stepan's eleven prerogatives.

Constitutionally sanctioned independent role of the military in the political system	Role in intelligence
Military relationship to the chief executive	Role in police
Coordination of defense sector	Role in military promotions
Active-duty military participation in the cabinet	Role in state enterprises
Role in the legislature	Role in legal system
Role of senior career civil servants or civilian political appointees	

Figure 2. Stepan's Eleven Prerogatives.

An autonomous military is one with a high number of prerogatives, which allows them to manipulate the civilian leadership, influences public policies, and can distance itself from other institutions at will. Militaries that are allowed to exercise any number of these prerogatives are essentially a danger to democracy because they can easily undermine civilian authority without fear of repercussion because of their autonomy.

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<sup>25</sup> Ibid. Pg. 93.

<sup>26</sup> Ibid. Pg. 93.

## 2. The Relationship of Contestation and Prerogatives

To complete an analysis of military influence in transitions, one has to look at the relationship between two variables already discussed, *contestation* and *prerogatives*.<sup>27</sup> Although there are four possible arrangements, only two will be discussed here, since the other two are highly unlikely for Mexico in this author's estimation.

Obviously, the goal of a democracy is to execute a strategy that will yield low contestation and low prerogatives, which Stepan equates to civilian control.<sup>28</sup> In contrast, an *unequal civilian accommodation* is a military that has low contestation and high prerogatives. Argued in this thesis is that the *unequal civilian accommodation* arrangement applies to Mexico's military apparatus after its transition to democracy. The low contestation by the Mexican military has for years been erroneously identified as a docile regime because the primary argument made has been that Mexico has not had any military coups since the civil war (1911-1920). Before the civil war, however, the military in Mexico had a vibrant legacy of contestation and prerogatives.

In the current arrangement, the absence of contestation of civilian authority does not equate to a peaceful military. The fact that the military has not contested civilian rule does not indicate a peaceful future because it may be possible that civilians have been afraid to recommend policies that threaten the military. This issue is particularly critical for Mexico because its politicians are just now learning to debate the government's position, and to challenge the Executive Branch. If, in the future, a bold president or member of congress does try to reduce the military's prerogatives, there could be a high degree of contestation, and depending on the balance of power, it could lead to a breakdown of democracy.<sup>29</sup> The balance of power favors the military if we consider the militarization of Mexico, the military's role in domestic society including intelligence collection on civilians, and the lack of democratic controls over the military. In fact, if a problem with the Mexican military were to arise, an action-reaction chain of events will cause political-military friction.

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<sup>27</sup> Ibid. Pg. 100-107.

<sup>28</sup> Ibid. Pg. 100.

<sup>29</sup> Ibid. Pg. 102.



### 3. Prerogatives and Institutionalization

In analyzing the influence exerted by a military in the post transition, Felipe Aguero provides a somewhat different view than Stepan, but the desired result, civilian control, is the same. Where Stepan focuses on a military's level of autonomy, Aguero's analysis of *military institutionalization* in connection with prerogatives, identifies the "how" of success in gaining immunity or maintaining prerogatives in the post transition.

There have been several attempts to develop explanations for how outgoing military regimes have affected the democratic transitions in Latin American countries. Felipe Aguero agrees with Lowenthal and Dominguez in their work on post authoritarian regimes in that traditional explanations for the path of democratic transitions in these countries are incomplete.<sup>30</sup> In analyzing these paths, most authors have related them to the presence of problems of participation and representation, accountability, rule of law, economic constraints and inequality, and civilian controls.<sup>31</sup> Not satisfied with these explanations, Aguero focuses on the impact of military prerogatives established during the pre-transition as affecting the quality of the emerging democracy.<sup>32</sup>

Attempts at explaining the path of new arrangements in other parts of the world as in Eastern Europe and the former Soviet Union, have allowed researchers to identify the six explanations listed below.<sup>33</sup>

- The manner of the transition.
- The nature of the regime right before the transition.
- Resurgence of old [beliefs or practices as] schizophrenia and causes new problems, and therefore influences the new path.
- Post-transition arrangements.
- The ability of new institutions to erode old legacies
- Others simply reject all explanations

However, Aguero claims that all the explanations are inconclusive and supports it with a statement by Adam Preworski: "where one is going matters as much as where one is

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<sup>30</sup> Editors, Hollifield, James F., and Jillson, Calvin. Rutledge (2000). "Pathways to Democracy." Chapter 4, "Transition Pathways: Institutional Legacies, the Military, and Democracy in South America" by Aguero, Felipe. Pg. 74.

<sup>31</sup> Ibid. Pg. 73.

<sup>32</sup> Ibid. Pg. 74.

<sup>33</sup> Ibid. Pg. 76.

coming from.”<sup>34</sup> It is from this basis that Aguero takes the stand that the impact of the South American military prerogatives in civil-military relations shape the relationships of their own democracy.<sup>35</sup>

Like Stepan, Aguero also defines prerogatives in his argument. Military prerogatives are essentially the privileges (autonomy, political influence, and other powers) enjoyed by the military apparatus over civilian leaders in the civil-military relations of a country. In his investigation of the impact of military prerogatives, Aguero analyses the pre and post civil-military relations of Argentina, Brazil, Chile, Peru, and Uruguay.

#### **4. Limiting Prerogatives**

Similar to Stepan’s argument that control of the military is tantamount to democracy, Aguero argues that although political competition and other factors are important, limits on military prerogatives are requisite for effective democratic governance.<sup>36</sup> It is particularly true in post-authoritarian regimes, that even when necessary institutions display the regular practice of competitive elections, ***a high level of military prerogatives will severely curtail the democratic nature of the new regime.***<sup>37</sup>

According to Aguero, transition modes are decisive in shaping the current state of military prerogatives and constraints on democracy. Also, the military’s ability to sustain their old prerogatives in the new democracy, are strongly influenced by the legal institutional factors present in the previous arrangement. In other words, the military feels that their long-held prerogatives are legitimized by the rules and/or norms of the previous arrangement, especially if the balance of power during the transition favors them.<sup>38</sup>

#### **5. Institutionalization**

The extent to which the military can maintain its coherence and institutionalization during the pre transition phase determines how much freedom and how effective it will be at securing immunity from being held accountable for previous

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<sup>34</sup> Ibid. Pg. 77.

<sup>35</sup> Ibid. Pg. 77.

<sup>36</sup> Ibid. Pg. 74.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid. Pg. 78.

crimes in the new democracy. In the case of Mexico, the military has clearly been implicated to atrocities, as in their response during a student demonstration in Mexico City in 1968 where hundreds of unarmed students were killed. Furthermore, during the PRI's struggle to maintain their power in the last two decades, a sort of a "dirty war" occurred in which hundreds disappeared at the hands of the military-backed intelligence system. In this and other examples, no official has ever been brought to justice. In fact, even after Mexico's new president took over in December 2000, cases of human rights violations continue to be reported.

Aguero has defined institutionalization as "the establishment of formal rules that regulate the power structure within the regime and the assignment of government functions to non-representative or semi-representative bodies, including the armed forces."<sup>39</sup> In Aguero's research, institutionalization led to two types of consequences. First, the stabilization of the military leadership lead to predictable rules of relationships in intra-military and military to government, which further separated the military and the government itself. The stability from the separation from the government and military leadership, which kept the militaries from being challenged, strengthened the military's position during their transition in those countries studied. In Mexico's case, there was separation in the pre transition, and today, the military still enjoys influence with the president.

A further important distinction in transition modes is the degree of strength in which the military enters the transition. This strength determines whether the military can proceed without having to compromise, impose its own terms, or if they must reach out to the opposition to compromise on the execution of the transition.<sup>40</sup> In Peru in 1980, the military exited with few explicit guarantees for itself, which gave it autonomy in specific circumstances and with the expectation that military matters would be dealt with carefully and in consensus with its leadership.<sup>41</sup> In Mexico's case, however, they have

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<sup>39</sup> Ibid. Pg. 77.

<sup>40</sup> Ibid. Pg. 78.

<sup>41</sup> Ibid. Pg. 79.

always been very autonomous. Today, Peru has the capacity to obstruct justice in the new democracy in the following ways:<sup>42</sup>

- Peru's military retained autonomy in handling its affairs and prerogatives in internal security issues (in its 1983 transition)
- Increased their budgets and the new regime handed over the handling of the upsurge of two insurgent groups (Shining Path and Tupac Amaru) because the government proved to be incompetent against them
- Experienced little or no civilian oversight, increased human rights violations and open contestation against civilian authority
- Refuted government attempts to create controls and oversight of the military
- Since problems with insurgency increased, the military took control of 2/3 of the territory under a state of emergency plan
- It became more autonomous, their internal roles increased, and human rights violations continued to surge
- President Fugimori brought about an expansion of the military's legal prerogatives with support from Congress, further suppressing society

In other similar sample countries, their prerogatives, like those existing in Mexico, are also a volatile mixture in their new democracies. In Chile, the military has budgetary autonomy.<sup>43</sup> In Brazil, cabinet-level positions were given to nine active duty officers.<sup>44</sup> In Uruguay, the new minister of defense, formerly president and army general, made sure military officers did not have to show up to court when summoned on issues of human rights violations.<sup>45</sup>

## **6. The Three Arenas as a Strategy**

Promoted as a strategy, Stepan provides a policy prescription to address the control of the military in the relationship between three interactive, yet conceptually distinct arenas of the polity: *civil society*, *political society*, and the *state*.<sup>46</sup> In *civil society*,

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<sup>42</sup> Ibid.

<sup>43</sup> Ibid.

<sup>44</sup> Ibid. Pg. 85.

<sup>45</sup> Ibid. Pg. 87.

<sup>46</sup> Stepan, Alfred. "Rethinking Military Politics." Princeton University Press 1998. Pg. 12.

“democracy is about the open contestation for power via elections, and the oversight and control of state power by the representatives of the people.”<sup>47</sup>

Like the overall democratic strategy by which civilians can gain or regain democratic controls, the legislature should develop a strategy to empower themselves, as would be found in the *political society*. In most advanced democracies, mechanisms have been crafted over time to perform routine oversight and monitoring of the military and intelligence services, such as standing committees in the legislatures or cabinet positions.<sup>48</sup> This strategy should include the ability to bring military or intelligence officials to the legislature to defend budgets or to explain their needs, to discuss strategies for national defense, or explain past actions. Those countries with weak legislatures that only have the power to call for a special commission of inquiry as a form of accountability, has two fundamental problems according to Stepan.<sup>49</sup> First, because they are *ad hoc* inquiries, legislators do not have a trained cadre of civilians, with expert knowledge of the intricacies of that field, who could assist in identifying causes or problems.<sup>50</sup> Second, because they are *ad hoc*, the summoned speaker is usually on the defensive.<sup>51</sup>

Because the military has a technical monopoly concerning military expertise in non-democratic countries *per se*, “the capacity of the democratic government to exercise a monopoly over the management of the force within the *state* apparatus is extremely limited.” For that matter, the state should have people and institutions in civil and political society with a comprehensive understanding and concern about national defense and military affairs. Using civilian experts, the president will have the ideological, technical, and organizational resources he needs to effectively manage the military apparatus.

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<sup>47</sup> Ibid. Pg. 128.

<sup>48</sup> Ibid. Pg. 133.

<sup>49</sup> Ibid. Pg. 134.

<sup>50</sup> Ibid. Pg. 134.

<sup>51</sup> Ibid. Pg. 134.

## **C. DEMOCRATIC MODELS IN CONTROLLING THE MILITARY'S ROLES AND MISSIONS**

Often after transitioning to democratic ideals, countries have to face the reality of what to do with the state's military apparatus. One question they must address is whether they should refocus from internal defense to an external one. Central to this debate in any new democracy is the struggle to balance the internal security needs of the state with the principles of liberty. Mature democratic countries such as the United States and Great Britain, although conscious of varying types of domestic problems, focus their military posture on external threats. Except for section 2 below, the other sections are examples of 'democratic' restraints over the military.

### **1. External Defense**

Focusing the military on external defense serves several purposes: first, it protects the country from external enemies, and second, it allows civilian police organizations to carry out their domestic roles. The beginning of the Cold War so soon after World War II caused the U.S. to maintain a sizeable military force capable of protecting herself, as well as friends and allies. Adopting an external military threat posture can keep the military operationally ready and capable of responding to a foreign threat at any time.

Maintaining the military's focus on an external threat also allows domestic civilian police organizations to fulfill their roles within society and further legitimize their existence. When civilian organizations are allowed to operate without military interference, it legitimizes their existence in the eyes of the public and helps garner support. The simple idea that the military in democracies do not get involved in domestic affairs except under specific criteria, sends the message that civilian police organizations are capable of accomplishing their role in society. However, when the military is focused internally, problems often occur.

### **2. The Problems with Internal Defense Missions**

The fundamental problem in focusing the military's role on domestic issues is that the state's legitimate use of force and its tools of war are used against the very people they want to protect. As a result, employing military power against civilians generally leads to human right abuses because by their very nature they are trained to kill, and not trained in arrest powers and human sensitivities. Human rights violations strike at the

very heart of democracy because it goes counter to democracy's implied goal of protecting its citizens from unrestrained and autonomous state institutions. While most Latin American countries focused their military internally, the reasons why they do that differ slightly. For example, military regimes that take control of a state through a coup are themselves worried they will be toppled by someone else's coup, and therefore, repress society to stay in power. Conversely, civilian authoritarian regimes permit unrestricted military involvement in domestic affairs to control the masses and to use military support against political opponents in order to stay in power. In both cases, however, unrestrained military action has led to unnecessary use of force, excessive force, and deadly force, often because soldiers are not trained in the rule of law and human sensitivities.

### **3. Limited Domestic Involvement in Disasters and Recovery & Assistance**

Democratic countries like the U.S. do involve the military in domestic affairs such as in natural disasters, response to weapons of mass destruction (WMD), and some humanitarian missions. What is different between non-democratic countries and the U.S. model with domestic functions is that the latter performs these tasks under certain mandates. For example, laws and regulations authorize the military to become engaged in certain domestic affairs while placing limits on their involvement. In the U.S., every state National Guard has a dedicated Military Support to Civilian Authorities (MSCA) unit that responds to natural and man-made disasters within their respective states.

As an example, the MSCA unit of the Texas National Guard has, through the years, increased its support to the state's Division of Emergency Management (DEM). As listed below, their support is regulated by laws that authorize and control involvement, as well as protect the military's involvement in domestic affairs.

- Texas Disaster Act, Texas Government Code, Chapter 418
- The Executive Order of the Governor relating to Emergency Management
- Texas Administrative Code Title 37, Part 1, Chapter 7
- National Guard Regulation (NGR) 500-1/ANG 10-8101
- Robert T. Stafford Disaster Relief and Emergency Assistance Act
- Public Law 93-288 (protection for soldiers on state active duty)

When the military are asked to support civilians in natural or man-made disasters, they are always subordinate to the civilian agencies that are in charge of the operations. A civilian leader at DEM decides where they need emergency assets, and it is then up to the National Guard to allocate appropriate assets. For example, the Texas MSCA coordinates National Guard aviation assets to provide helicopter support for dropping treated water on forest fires. When needed, in the Fall and Spring, the MSCA coordinates with other units to assist state and city personnel in responding to dangerous floods, and to help with icy roads in the Winter. At other times, the Texas Guard assists authorities during hurricanes and tornadoes.<sup>52</sup>

#### **4. Limited Involvement in Counter Drug Operations (internal & external)**

Both active duty forces and the National Guard play a supervised role in domestic counter drug operations in the United States. Active duty forces that work within the U.S. are assigned to Joint Task Force Six (JTF-6), while most states have counter drug programs coordinated through the National Guard. For example, the Texas Counter Drug Support Program assists local, state, and federal law enforcement agencies in their fight against drugs in a “supporting” role with very strict mandates. A distinguishing factor between American’s democracy in the war on drugs compared to non-democracies, is that the support role they provide is backed by legal restrictions. Contrary to the U.S. model, in Mexico’s case, the military conducts its own independent operations, but when joint operations are conducted with civilian authorities, the military plans, coordinates, and is in charge of those operations.

Laws approved by the U.S. Congress dictate that the National Guard may provide “support” to law enforcement in counter drug operations under strict guidelines. A support role means that soldiers do not have arrest powers, cannot seize drugs, do not work under-cover, are not in the chain of custody of evidence, and only a few members can carry weapons. As an example of these constraints, the following laws and regulations authorize the National Guard to support law enforcement in counter drug operations, as well as providing limits to their involvement.

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<sup>52</sup> For emergencies requiring additional assets at once, elements of active duty units have been called by DEM to assist. In one example, the director of DEM negotiated for additional helicopter support from Fort Hood to help with fires in Texas in the Summer of 2000



- 32 USC Sec. 112. Drug interdiction and counter-drug activities
- § 431.046. Property Forfeiture (Added by Acts 1997, 75th Leg., ch. 813, § 1, eff. June 17, 1997.)

During counter drug operations, the military is never the lead agency, and where possible, a law enforcement representative is present during these operations.

Overall, the Texas National Guard supports law enforcement agencies in countering both the supply of drugs and its demand. In countering the supply side of drugs into the U.S., the National Guard assigns soldiers and airmen to the U.S. Customs at the ports of entry, and at various field offices of the FBI, DEA, and IRS. On the demand side, the National Guard hosts drug awareness programs to teach young people about the dangers of drug abuse, and soldiers are active as role models and mentors.

#### **D. DEMOCRATIC CONTROLS: EXECUTIVE AND STATE MEASURES**

While the previous section dealt with the control of the U.S. military in certain domestic roles through laws and regulations, this section deals with more broad measures of democratic control. In democracies, whether presidential or parliamentary democracies, one finds various mechanisms of control echelons above the operational level not normally seen by the average soldier, but nevertheless, democratic in nature. Although both types of democracies are generally distinct in its base structure, they both share the same goal of controlling the military along democratic means. Discussed first in this section is the U.S. model of presidential democracy, followed by a brief discussion of the parliamentary model in controlling the military apparatus through the ministry of defense.

##### **1. Layers of Control in the Presidential Model**

In the U.S., the president is the commander and chief of the armed forces per Article II, Section 2 [1] of the United States Constitution. Stated in this Article, is that *“the president shall be the commander in Chief of the Army and Navy of the United States, and of the militia of the several states, when called into the actual service of the United States...”* In order to effectively fulfill his role, the president appoints multiple layers of civilian executives to control and oversee the military. To help manage the military apparatus on a day-today basis, the president appoints:

- Secretary of Defense

- Civilian secretaries of the Army, Navy, Air Force

The civilian control and oversight measures exercised by the Executive and Legislative Branch of the United States are particularly noteworthy compared to other democracies because of the number of ‘civilian’ layers of controls. The more layers of civilian control and oversight with overlapping or seamless powers results in tighter democratic controls. To help the reader understand the concept of multiple layers of controls, the organizational chart below provides a visual display of the civilian’s depth of control over the military in American democracy.

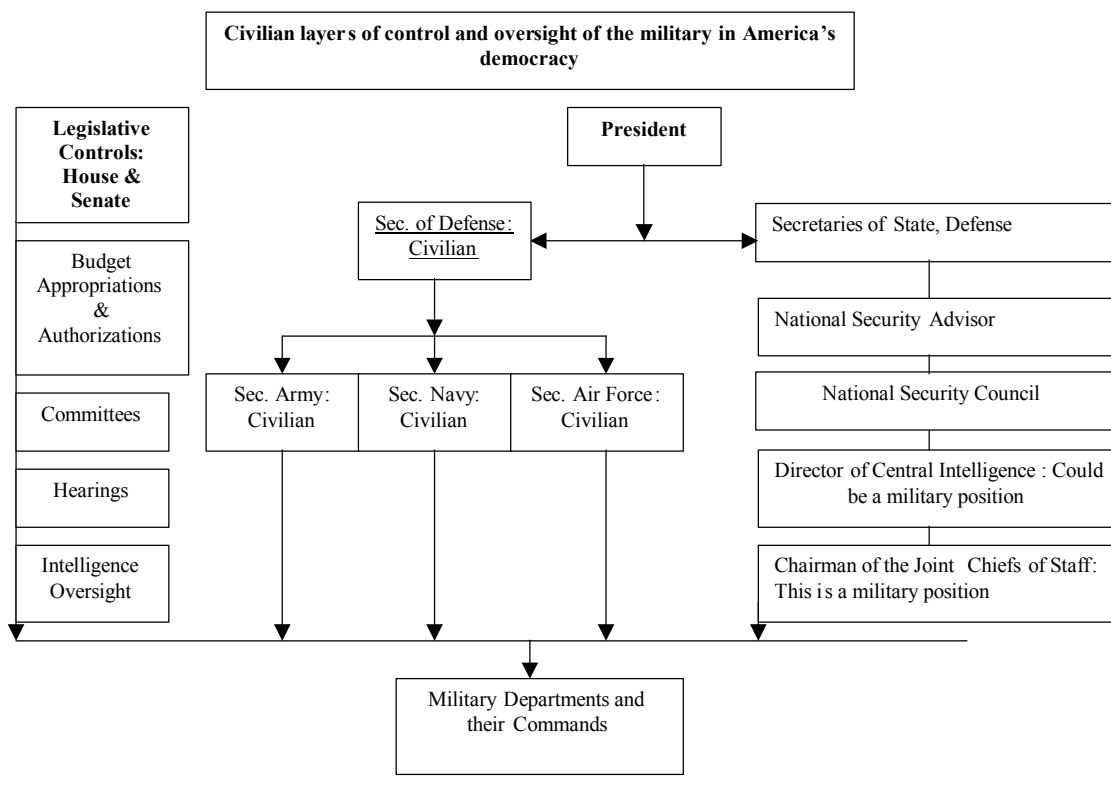


Figure 3. Civilian Layers of Control Over the Military in America's Democracy.

In this illustration, one can see the multiple layers of civilian controls and oversight of the military by both the Executive and Legislative Branches. It also provides a clear view of the direct line of civilian authority and control of the military apparatus from the president to the various secretaries. Although the various Secretaries have more face-to-face contact with the military commanders than the president, it does not decrease

or degrade the president's authority and responsibility as commander-in-chief. Located on the right side of the model, the various sections provide an indirect yet additional layer of civilian control of the military, because this is where the decisions of national security are made, which ultimately affect the military. Included on the left side of the model, the legislative controls are shown as a separate element and will be discussed later in Section E, of this chapter.

## **2. Layers of Control, The Parliamentary and the Ministry of Defense**

Of the different variations of the parliamentary models in existence, the world's most renowned form is that of Great Britain, which is also known as the Westminster parliamentary model.<sup>53</sup> This model fundamentally differs from the U.S. method of governing in several ways, but three particular characteristics stand out.<sup>54</sup> First, it is more responsive to the needs of its constituents, and second, it allows the removal of the prime minister with a simple vote of no confidence if he or she fails to perform satisfactorily. Third, the process of creating legislation is more streamlined because when the government sends legislation to the floor for approval, it is usually not open for amendments.<sup>55</sup>

In a parliamentary model of democracy, the minister of defense (MOD) fulfills the same role as the layers of civilians in the U.S. model, that is, "it serves as a buffer between democratically elected officials and military officers."<sup>56</sup> Thomas Bruneau at the U.S. Naval Postgraduate School argues that the ministries of defense have apparently been created to achieve the following four main purposes.<sup>57</sup>

- To structure the power relationships between the democratically elected civilians and the military
- To restructure, or define and allocate an arrangement of responsibilities between and among military officers and civilians
- To maximize the effectiveness in the employment of the military forces by implementing policies in security and national defense

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<sup>53</sup> Manuel, Paul Christopher and Cammisa, Anne Marie. "Checks and Balances? How a Parliamentary System Could Change American Politics." Westview, 1999. Pg. 16.

<sup>54</sup> Ibid. Pg. 19.

<sup>55</sup> Ibid. Pg. 105.

<sup>56</sup> Bruneau, Thomas C. "Ministries of Defense and Democratic Civil-Military Relations." Center for Civil-Military Relations, Naval Postgraduate School, Monterey, California. Pg. 11-12.

<sup>57</sup> Ibid. Pg. 9-13.

- To maximize the efficiency in the use of resources: budget allocation, personnel and equipment

Further noted, the MOD can only be successful when given the initial tools and the rule of law to legitimize its exercise of power over the military.<sup>58</sup> According to Bruneau, the MOD can accomplish its role with the following four competencies: budgets, defining roles and missions, personnel, and acquisition of facilities.<sup>59</sup> At least at a minimum, and probably the most effective tool by which to control the military, is the ‘power of the purse’ for training and readiness, as well as other issues.<sup>60</sup> Second, the MOD should be able to define the roles and missions of the military, which is the very fabric that determines the use of the military.

The third competency is for the MOD to determine the size of the military force and the type of training it will conduct to ready itself, based on the prescribed military roles and missions.<sup>61</sup> This is particularly important for Mexico because the function there is divided between the executive and the military according to Jorge Luis Sierra, a security specialist on Mexican military affairs.<sup>62</sup> “The Mexican legislative branch allows the president to take the lead in defining the missions and strategic objectives of the armed forces. Meanwhile, the military leadership assumes autonomy over defense policy, as well as determining the size, shape, and capabilities of the armed forces.”<sup>63</sup> The fourth competency addresses the training goals derived from the military’s roles and missions, and based on this, the MOD then acquires the appropriate equipment and facilities.<sup>64</sup>

Creating an organ of the government to establish civilian control of the military is important for the consolidation of a new democracy, and Mexico is no different. When

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<sup>58</sup> Ibid. Pg. 24.

<sup>59</sup> Ibid. Pg.15-17.

<sup>60</sup> Bruneau, Thomas C. “Ministries of Defense and Democratic Civil-Military Relations.” Center for Civil-Military Relations, Naval Postgraduate School, Monterey, California. Pg. 9.

<sup>61</sup> Ibid. Pg. 12.

<sup>62</sup> Sierra, Jorge-Luis. Chapter 3, “The Mexican Military Budget,” Pg. 28. Zinn, Ryan M. (ed.) “Always Near, Always Far: The Armed Forces in Mexico.” Global Exchange and Centro de Investigaciones Economicas y Políticas de Accion Comunitaria 2000.

<sup>63</sup> Ibid.

<sup>64</sup> Bruneau, Thomas C. “Ministries of Defense and Democratic Civil-Military Relations.” Center for Civil-Military Relations, Naval Postgraduate School, Monterey, California. Pg. 13.

given the right tools and the power to effect change, the civilian minister of defense can be made to bring about necessary and effective controls and oversight of the military establishment.

## **E. LEGISLATURE’S CONTROL OVER THE MILITARY**

In yet another civilian mechanism for controlling the military apparatus of a country, in most democracies, the Congress or parliament has the exclusive right to pursue war action. However, what is important about civil-military relations is the control exercised over the military when a country is not fighting a war. In the U.S. model, members of the legislature serve as an additional layers of civilian control over the military.

### **1. The U.S. Congress**

While the President of the U.S. is the Commander-in-chief of the armed forces, and can pursue foreign policies by practically any means, including military action, the Congress maintains the exclusive right to declare war according to the Constitution.<sup>65</sup> This limitation on the president is important because war not only can deplete human and war making resources, but it also affects the economy, internal security, food supply, and other important aspects of American life.

Congressional restrictions over the military occur with actual controls, oversight measures and accountability. One measure includes oversight and accountability by the Senate (SASC) and House Armed Services (HASC) Committees. These oversights are carried out through investigations, by Congressional vetoes, mandatory reports, non-statutory controls, and inspector generals.<sup>66</sup> Another control includes budget authorizations and appropriations, and expenditure reports. One of the most impressive tools the Congress employs is their authorization and appropriation power of the federal budget, part of which includes the annual National Defense Authorization bill that covers the spectrum of operations of the Department of Defense.<sup>67</sup>

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<sup>65</sup> The United States Constitution, Article I, Section 8 [11].

<sup>66</sup> Davidson, H. Roger and Oleszek, J. Walter. “Congress and its Members.” CQ Press, 2000. Pg. 325-27.

<sup>67</sup> “Committee on Armed Services.” <http://www.house.gov/hasc/about/oversight>. Downloaded 17 April 2001.

Congress can further exercise controls over the military through hearings on military issues, and confirming civilian appointees in charge of the military apparatus. The SASC and HASC committees conduct hearings, inspect budget line items, question dollar amounts, debate the overall defense budget and are required by the constitution to come up with similar budget figures in both legislative houses. Lawmakers further created the War Powers Resolution in 1973 as an additional measure to control the president's use of the military apparatus.

In U.S. history, the Congress has only declared war six times, while up until 1999, U.S. presidents have deployed troops more than 270 times to protect American lives, property and assets abroad.<sup>68</sup> Because of this disparity, but more particularly due to the escalated U.S. involvement in Vietnam, lawmakers became skeptical of presidential initiatives abroad. In response to excessive use of the military by the executive, the War Powers Resolution keeps the president's use of the military abroad in check by requiring that certain conditions be met.<sup>69</sup>

- Consult with Congress before introducing troops into hostilities
- Report any commitment of forces to Congress within forty-eight hours
- Terminate the use of forces within sixty days if Congress does not declare war, does not extend the period by law, or is unable to meet.

Another measure of control by the U.S. Congress over the use of the military, relates to covert action and intelligence collection activities by the military forces. Covert action is defined as “an activity or activities of the United States Government to influence political, economic or military conditions abroad, where it is intended that the role of the United States Government will not be apparent or acknowledged publicly.”<sup>70</sup> Although people normally associate covert actions with paramilitary operations, they also include propaganda, political activity, economic activity, and support for coups.<sup>71</sup>

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<sup>68</sup> Oleszek, Walter J. and Davidson, H. Roger “Congress and its Members.” CQ Press 2000. Pg 394.

<sup>69</sup> Ibid. Pg 395-96.

<sup>70</sup> National Security Act of 1947, Section 503 (e), (50 U.S.C. 401 note). Lowenthal, Mark M. “Intelligence, From Secrets to Policy.” CQ Press, 2000. Pg. 206.

<sup>71</sup> Ibid. Pg. 110.

Congress has the authority to exercise oversight of intelligence operations through Article I, Section 8, and paragraph 18 of the U.S. constitution. Ultimately, Congress exercises control through the power of the purse, investigations, executive reports, hearings, treaties, nominations of the Director of Central Intelligence, and by withholding the budget. As a rule, Congress also receives prior notice of covert action from the executive office at least 48 hours before operations begin.<sup>72</sup> When not informed beforehand, Congress eventually becomes aware of these missions because they take time to plan and often require large amounts of funds to execute those operations.

Sometimes referred to as ‘the third option,’ before covert action can be ordered, a report of presidential findings has to be presented to Congress. These findings have to explicitly explain that covert action is necessary, and that achieving national objectives outweigh the risks involved.<sup>73</sup> Unique to covert operations is the president’s legal right to *plausible deniability* whether the mission fails or succeeds.<sup>74</sup> In fact, the objective attached to these missions is that of concealing the origin from which these missions were ordered. In the literature, one finds authors who argue that perhaps President Reagan’s lack of knowledge of hostages for arms in the Iran Contra Affair is an example of plausible deniability.

Covert action is often conducted by the military, or the military works with or assists the Central Intelligence Agency. For example, the U.S. military collects information via the National Security Agency (NSA), Defense Intelligence Agency (DIA), National Imagery and Mapping Agency (NIMA), the National Reconnaissance Office (NRO), and the individual military services.<sup>75</sup> Because of the military-intelligence relationship and the sensitivity of these operations, the Deputy Secretary of Defense (DSD) exercises authority over the military’s intelligence activities. The DSD further coordinates with the Director of Central Intelligence (DCI), who is also the director of the CIA.<sup>76</sup> Because the responsibility of oversight is also divided in the Congress, the Senate

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<sup>72</sup> Lowenthal, Mark M. “Intelligence: From Secrets to Policy.” CQ Press 2000. Pg. 141.

<sup>73</sup> Ibid. Pg. 107.

<sup>74</sup> Ibid. Pg. 107.

<sup>75</sup> United States Central Intelligence Agency, A Consumer’s Guide to Intelligence (CIA Office of Public Affairs, 1999). Pg 8.

<sup>76</sup> Ibid. Pg. 31.

Intelligence Oversight Committee oversees intelligence collection by civilian agencies, while the Senate Armed Services Committee (composed of civilian representatives) oversees all aspects of military intelligence.<sup>77</sup>

## **F. CONCLUSION**

In this chapter, a discussion about democracy is provided in order to clarify what democracy is, and is not. Further, this author explains the steps of democratization and its transitions phases so that it is made clear in which phase Mexico is currently sitting in. Of greater importance is the discussion about the critical role a country's military can play in the transition to democracy, given its prerogatives and institutionalization in the pre-transition phase. What has clearly been established is that the military apparatus does influence the emerging civil-military relations in the new democracy, relying on its prerogatives to secure a privileged position and immunity from any previous wrongdoings. The case of Argentina, Brazil, and Chile are just a few examples, but they do indicate that because Mexico is similar to them in the type of prerogatives it enjoys, that it also poses a threat to its democracy.

The section on the minister of defense in the parliamentary and America's presidential democracy are presented as examples of how two different types of democratic models control their military apparatuses. Also, because many foreign students at the Naval Postgraduate School often wonder how two powerful militaries can be made to subordinate themselves to civilian control, even the limited explanation provided here could serve as a guide to others in emerging democracies as well. Furthermore, since the U.S. engages in the promotion of democracy abroad, it is appropriate to include the mechanisms by which the U.S. military's role in domestic affairs are controlled.

In the following chapter, evidence presented supports the argument that the Mexican military stands as a hindrance to Mexico's consolidation of democracy. Articulate facts will support the claim that the number of military prerogatives enjoyed today, were legitimized and institutionalized many years ago when the military gave rise and support to the PRI. Because the PRI had controlled the military using a rewards and punishment reinforcement mechanism for many years, the PRI's loss of control in 2000

<sup>77</sup> Ibid. Pg. 33.



left a void of control over the military apparatus. Furthermore, it will be shown that there is a lack of executive and legislative controls over the military, and that decades-old civil-military relations practices solidifies the military's continuous prerogatives in the new democracy. Finally, evidence will show that the lack of executive and legislative controls over the military make it an autonomous institution, and capable of influencing public policy because of its high prerogatives.

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### **III. LACK OF EXECUTIVE AND LEGISLATIVE CONTROLS IN CIVIL-MILITARY RELATIONS IN THE FACE OF HIGH MILITARY PREROGATIVES**

In this chapter, Mexico's history is discussed along with the current situation for finding any useful parallels to predict the outcomes of the current Fox administration while reflecting on theory. The main argument of this chapter is that there is a lack of executive and legislative controls over the military and high military prerogatives, a potentially volatile mixture to Mexico's emerging democracy. However, in order to understand what is occurring today, one must first understand the history of civil-military relations in Mexico. This history will be followed by a discussion of the current military prerogatives, thereby showing that the only real change that has occurred in Mexico is a change of a political regime through free and fair elections. Finally, an explanation of the decades-old civil-military relations and the lack of executive and legislative controls and oversight is not only a danger, but also a hindrance to Mexico's emerging democracy.

#### **A. THE SIGNIFICANCE OF THE MILITARY-PRI CONNECTION IN PRE AND POST TRANSITION**

##### **1. Warring Factions Founded the PRI**

Mexico's independence from Spain in 1821 marked the beginning of unsuccessful efforts to stabilize itself politically and economically. In one push for change, historical political control characterized by dictatorships, military regimes, and violent power struggles from 1821 to 1860, gave way to at least 50 different presidencies.<sup>78</sup> In another effort, these power struggles continued until its independence from France in 1867.<sup>79</sup> Finally, power struggles between repressive Caudillos such as Santa Anna and others, as well as bad economic conditions, brought about civil war between 1910 and the 1920s.

The end of the civil war gave rise to the government of General Plutarco Diaz, and a short time later, the National Revolutionary Party (the antecedent of the PRI) was born in 1929.<sup>80</sup> The military-PRI pact that emerged further put an end to armed strife in

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<sup>78</sup> Skidmore, Thomas E., and Smith, Peter H. "Modern Latin America." Oxford University Press (2001). Pg. 220.

<sup>79</sup> U.S. Department of State, Bureau of Western Hemispheric Affairs. "History on Mexico," May 25 2001 Pg. 3. Downloaded on 26 May 2001 from <http://www.state.gov/g/drl/rls/rem/index>.

<sup>80</sup> Correspondence and interview via the internet with Jorge-Luis Sierra, security specialist on Mexico in

Mexico.<sup>81</sup> It wasn't until 1946 that the first civilian president took charge.<sup>82</sup> In fact, a group of army generals offered the presidency to Miguel Aleman, but he only accepted under the condition that he would grant absolute cooperation and respect for the military institution.<sup>83</sup> In this case, the civilian president felt compelled to offer a privileged status to the military for the standing he was offered. As a result, it became an unwritten rule that the military in turn would reciprocate such loyalty to the chief executive.

Initially, the new civilian executive and the military were equal in status until the PRI later made the military subordinate to it, but at a price. In return for subordination and loyalty, the military was allowed many prerogatives that resulted in an autonomous military. Such prerogatives included exclusive control and secret budgets, and insulation from legislative and judicial controls. This undemocratic practice of cooptation in return for loyalty set the relationship tone between the executive and the military, which still exists today, even after the historic transition to democracy.

## **2. PRI-Military Relationship: Then and Now**

The unique history of the military-PRI relationship begs the question of whether the military is still loyal to the party, and therefore, a danger to Mexico's consolidation of a multi-party democracy. The mutual supporting relationship between the PRI and the military in Mexico gave the PRI a long successful history of controlling the political machine, society, and the military establishment. It is no secret that the control of the military and its coercive powers in society was key to the PRI's extended rule over Mexican politics. Recently, a Mexican government official supported this claim when he discussed the history of this relationship during a panel discussion on Legislatures and Defense in Washington, D.C. "In return for its loyalty and abdication to head executive powers, the civilians conceded autonomy and independence [to the military]."<sup>84</sup>

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Mexico City. [jlsierra@hotmail.com](mailto:jlsierra@hotmail.com). Date: November 14, 2001.

<sup>81</sup> Schedler, Andreas. "Mexico's Victory, The Democratic Revelation," Pg. 6. Journal of Democracy, Volume 11, Number 4. Oct. 2000.

<sup>82</sup> Centro de Investigaciones Economicas y Politicas de Accion Comunitaria, A.C. (Ciepac). "Always Near, Always Far: The Armed Forces in Mexico." A collection of articles, 1999, Pg. XV.

<sup>83</sup> Ibid.

<sup>84</sup> Ugalde, Luis Carlos. "The Mexican Congress and the Armed Forces." Division de Estudios del Centro de Investigacion y Docencia Economicas (CIDE), Mexico. [lcugalde@msn.com](mailto:lcugalde@msn.com). Center for Hemispheric Defense studies. Research and Education in Defense and Security Studies. May 22-25, 2001, Washington, DC. Pg. 2.

As a result, the PRI-military relationship became too mature and entrenched, and too successful to believe that after a transition in 2000, the military's loyalty to the PRI no longer exists. It is precisely the military's loyalty to the PRI through rewards and punishment reinforcements that made possible the successful control of the military without having to establish democratic controls. Also, it is loyalty as described below, and the lack of democratic controls, which presents one aspect as to why the military today stands as a hindrance to Mexico's consolidation of democracy.

The PRI won the military's loyalty through the assignment of political appointments to active-duty generals such as the Secretary of National Defense, and other appointments within the military down to the Division Commander level. By selecting certain officers to the president's cabinet, the PRI could count on using the military to support its rigged election schemes, repress riots and armed movements, and to continue their political control in the country. However, when rewards for loyalty were not effective, loyalty was ensured in others by convicting dissenting generals in a court of law. Numerous U.S. State Department records during the World War II timeframe alone indicate a trend in the way that the PRI exercised excessive and undemocratic means of control over the military. In communications by the State Department and the U.S. Embassy in Mexico, it was stated that Generals Jose Domingo Ramirez Garrido and Alfredo Lezama Alvarez were sent to Mexico City to stand trial, presumably for not following orders [of transfers].<sup>85</sup>

In yet another display of control, the PRI manipulated the military by transferring whole units from one region to another, for fear that the troops would be too friendly with civilians if forced to quell problems. This evidence is found in the following U.S. Embassy communiqué.

“Transfer of Mexican troops: ...soldiers in Sonora and along the international boundary has been increased; that soldiers at Naco have been transferred to Agua Prieta to fronteras [border areas]. Dispatch also mentions that supporters of General Camacho and General Almazan are predicting trouble during the election and the transfers were effected to be

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<sup>85</sup> National Archives. This information was obtained in July 2001 from a record of log entries made by the State Department from 1939 to 1943. Full text can be obtained by requesting File No. 812.20, Sub-number 230 #11265 (Aug 22 Daniels). Subject, “Military Affairs of the Mexican Army.”

sure that in case of trouble the soldiers would not be too friendly to the people.”<sup>86</sup>

In a final example, when the PRI perceived a hint of disloyalty by military generals in those areas where the PRI regime was strongly opposed, the PRI took measures to prevent generals from supporting the opposition parties. Before elections took place in the seven key states or when trouble was suspected in a particular city, it was common to see a re-shuffling of military units. In another declassified record between the State Department and the U.S. Embassy in Mexico City on May 17, 1940, the following discussion occurred.

“Transfer of General of Division Matias Ramos. Jefe [Commander] of the 10<sup>th</sup> military zone. Reports from the headquarters in Durango to Toluca [a distance of 450 miles straight-line distance, seven states away], and that the general of Division Juan Jose Rios, commander of the military zone at Toluca, has been assigned as jefe of Durango. It was rumored that his change was caused by the approaching election.”<sup>87</sup>

In more contemporary times, and when faced with the eminent fall from power, the PRI once more attempted to manipulate military generals to remain loyal. During a confidential interview with Mexican military officers, they revealed that few generals lost their commands and attempts were made to prosecute them because they wanted to support Vicente Fox, then the Partido Accion Nacional (PAN) presidential candidate.<sup>88</sup> In a similar case, evidence suggests that the PRI, or those in the military who supported it, were still active in attempting to force compliance in others to play along the rules of the game. In April 1999, a U.S. immigration judge granted political asylum to Mexican Army Captain Jesus Valles-Bahena, after claiming that he would face persecution for refusing to kill Zapatista rebels from the state of Chiapas, Mexico.<sup>89</sup> Based on two human

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<sup>86</sup> National Archives. This information was obtained in July 2001 from a record of log entries made by the State Department from 1939 to 1943. Full text can be obtained by requesting File No. 812.20, Sub-number 218 Agua Prieta #642 (May 20 Boyle). Subject, “Military Affairs of the Mexican Army.”

<sup>87</sup> Ibid. Sub-number 225 (May 17, 1940) and 225 ½ (July 12, 1940). Subject, “Military Affairs of the Mexican Army.”

<sup>88</sup> Confidential interview with Mexican military officers in the summer, 2001.

<sup>89</sup> Jane’s, World Army Armies. “Current Developments and Recent Operations.” 17 November 2000. [www.janes.com](http://www.janes.com).

rights reports and testimony from an expert witness, the judge found “reason to believe that Mexican security forces have tortured and killed Zapatista rebels and supporters.”<sup>90</sup>

Although the information provided above may be seen as forcing the military to compliance more than loyalty itself, there were obvious rewards for the majority who did follow orders in supporting the PRI. The reward and punishment reinforcement scheme used by the PRI were not conducive to the creation of democratic controls that would be mandated by the constitution and exercised by the executive and legislature branches. Considering the long established PRI-military loyalty, coupled with a lack of democratic controls, we can presume the existence of a “void” of control over the military during Mexico’s pre and post transition.

### **3. Is There a Void of Control Over the Military?**

The unique historical “link” between the military and the PRI nurtured for 71 years created a bridge of association and dependency on each other. While resulting in a certain degree of peace and stability, the PRI’s corrupting system of control created a monopoly of the electoral process that undermined state and national politics.<sup>91</sup> The practice of free and fair elections leading to the first democratically elected government has left a void of control over the military today.

As illustrated below, the **bond** between the PRI, the executive (placed there by the PRI), and the military (which served as a loyal subject) (on the left) was the bridge that linked civil-military relations in Mexico.

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<sup>90</sup> Ibid.

<sup>91</sup> Schedler, Andreas. “Mexico’s Victory, The Democratic Revelation,” Pg. 6. *Journal of Democracy*, Volume 11, Number 4. Oct. 2000.

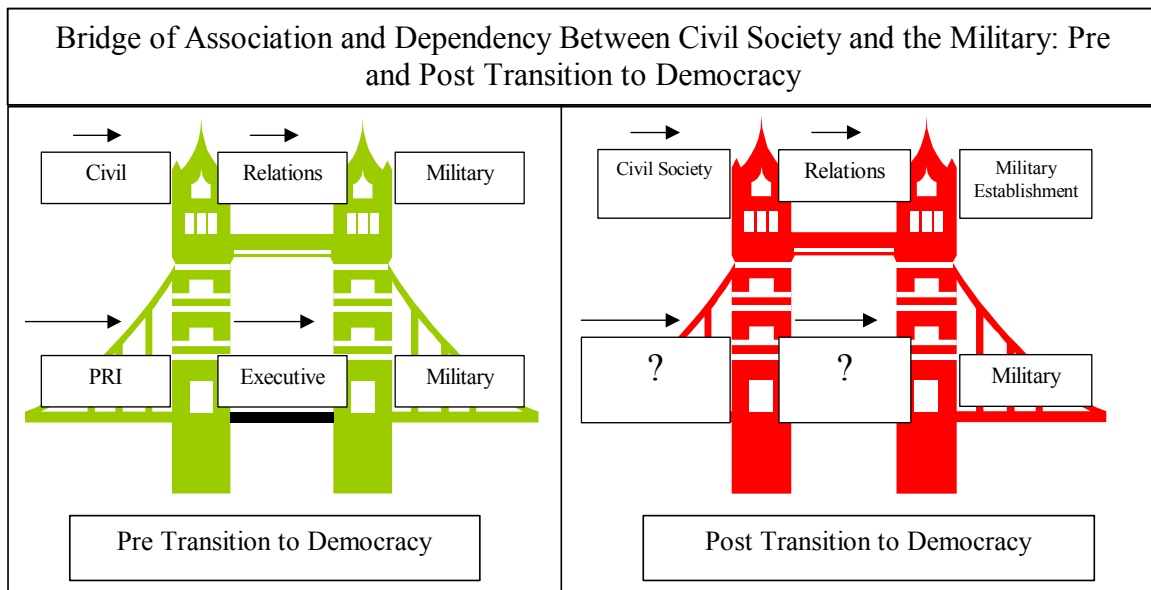


Figure 4. Pattern of Dependency in Pre and Post Democracy Mexico.

Since two important pieces of the triad that made up the previous authoritarian regime are not in power, democratic controls are the existing void in civil-military relations today. As mentioned previously, the long-established relationship between the PRI and the military is one element that could pose a threat to Mexico's democracy because of the 'void' of control. Nevertheless, President Fox and his new transition team quickly adopted the same methods of control over the military that were used by the PRI for 71 years.

## **B. HIGH MILITARY PREROGATIVES**

The prerogatives enjoyed by the military for many years during the pre-transition to democracy came about because of the PRI's strategy towards the military, and with time, increased in number and impact. The military in Mexico gained their prerogatives because of their historic PRI-military relationship, the increase of their roles and missions in society; and the lack of executive and legislative controls. The less restrictions the military enjoyed since 1929, the more ground it gained. What resulted was a military with high autonomy and influence over the polity and society and because of this, remained an untouchable force in society.

After the transition to democracy in December 2000, the military kept its previous prerogatives and are now increasingly becoming legitimized by the new president. The table below provides a list of those prerogatives currently enjoyed by the Mexican



military, and which are the direct causes for concern about them standing as a hindrance in Mexico's consolidation of democracy today. Very simply, these prerogatives run counter to the democratic process.

Military relationship to the chief executive	Role in the legislature
Active-duty military participation in the cabinet	Role in defense enterprises
Role in intelligence collection on civilians	Role in military promotions
Role in police functions: counter drug and crime control	Role in humanitarian-type missions as providing basic health care, and build roads and schools for indigenous peoples
Coordination of defense sectors and responsible for internal security in counter insurgency and terrorism	The military budget is shielded from being meddled with by the legislature

Figure 5. Current Military Prerogatives Hindering Mexico's Consolidation Of Democracy.

The cabinet positions currently filled by active duty generals, which gives them a unique relationship to the chief executive, influence policies affecting the military and solidify their prerogatives. Furthermore, that relationship also allows the military to have influence over public policies, since their main role in society is "internal" security.

The military's role in intelligence collection on civilians as a function of military units and the assignment of officers to Mexico's Intelligence Service (CISEN) is the capstone problem in consolidation of democracy.<sup>92</sup> It is public knowledge that by their very nature, intelligence organizations are secretive, and because of this, intelligence officers employ tactics that violate basic freedoms as they are known in democracies. It is for this and other reasons that intelligence organizations in democracies are "externally" focused. Intelligence in democracies has to have some level of transparency, but this norm especially applies to the military establishment of a country. When the military has a dual role as protector of the country and collector of intelligence on the very people they want to protect, it causes an implosion. What results are human rights violations, disappearances, and other atrocities, types of violence Mexico has already been experiencing for many years under the arrangement that still exists today.

<sup>92</sup> Centro De Investigacion Y Seguridad Nacional [Center for Investigations and National Security].

A major role in police functions and the coordination of the defense sector by the military is another problematic area in which the direct result is the militarization of the country. The expansion of the military throughout the country and its increased role in society without democratic controls is like kindle, just waiting for that spark whereby a bold president or politician, will threaten the military and it will explode into the contestation of authority.

Mexico's military plays a major role in defense enterprises, such as direct control of the manufacturing of their defense materials. The military also produces small arms, uniforms and personal equipment, ammunition and ships.<sup>93</sup> Although the Mexican military also buys equipment and vehicles, they further modify purchased equipment to suit their needs.

### **C. PRESIDENT FOX AND THE GENERALS IN HIS CABINET: OLD PRACTICES STILL REMAIN**

The significance of changing old practices in civil-military relations in Mexico deals with the issue of, "Who is guarding the guardians?" The problem stems from the fact that the military is extensively involvement in domestic affairs and exercises political influence in society. Unlike America's democracy, Mexico's new democracy still does not have any additional layers of civilians in control of the military, layers that could serve as a buffer of security protections.

#### **1. Political Appointments to Active Duty Generals in Cabinet Positions**

Since the 1930s, the military has been accepting political positions to the president's cabinet, and at the very least indirectly influences civil-military relations.<sup>94</sup> Perhaps realizing the lack of democratic controls over the military, President Fox has attempted to 'bridge' the gap in civil-military relations by putting in practice what is all too familiar in Mexican politics. Currently, of the top 29 political appointments made by Fox, "four of them are active duty generals, a measure not conducive to civilian control of the military and the democratic process."<sup>95</sup>

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<sup>93</sup> Secretaria De Defensa Nacional web site. [Secretariat of National Defense]. <http://www.sedena.gob.mx>. Special Forces section. Pg. 2. Downloaded November 19, 2001.

<sup>94</sup> The PRS Group, Political Risk Services. "Military [of Mexico]." Article date: May 1, 2000. Date downloaded: July, 2001.

<sup>95</sup> Ramiro Ramirez, Ph.D. Lead Researcher and professor of criminology at the Universidad Autonoma de

While some have argued that Mexico's military is apolitical, it cannot be discounted that they certainly do have political influence with those at the very top of the administration. After all, a political appointment to a key position in government whether a civilian or an active duty general, clearly indicates that political influence is exerted. As one example, General Rafael Marcial Macedo de la Concha, who was appointed Mexico's Attorney General (AG), has policymaking powers that intrude into society backed by the force of the law. If a person, whether military or civilian is given a political appointment, has free access to the president, and creates and implements laws affecting society, one can conclude that that person is a politician; and when that politician is an active duty general, clearly, civilians are not in control of the military.

In a prime example of the guardians watching the guardians, Mexico's military leadership fits this description. Because Mexico does not have additional layers of civilians controlling the military between the president and the military (as in the U.S. model discussed in the Chapter II), military leaders themselves fill that void. The political appointment of Mexican General Gerardo Clemente Ricardo Vega Garcia as Secretary of National Defense, is an example of the absence of a 'buffer' made up of civilians, and therefore, not democratic. It can further be argued that General Vega Garcia also influences public policy by the mere fact that the military's focus is in domestic affairs, and that any decisions he makes relative to the military, will affect society. As a learning point in this area, Mexico should study the politicization of the military in the U.S.S.R as an example of what not to do to avoid similar problems. The former Vice Chairman of the Defense Committee in the State of Duma, Russia concluded that "the lack of a [civilian] buffer kept the armed forces 'in politics' and frustrated the ongoing efforts of military reform."<sup>96</sup>

In like fashion, the following two appointees also influence public policy and affect Mexican society by the military's role in domestic affairs, particularly in the counter drug role. General Jose Armando Tamayo Casillas has functions equivalent to the Chairman of the Joint Chiefs of Staff in the U.S., and Admiral Marco Antonio Peyrot Mexico (UNAM) in Monterrey, Mexico. Testimony obtained by telephone at 8-01152-8115-5840, and by email at [tramirezperez@hotmail.com](mailto:tramirezperez@hotmail.com).

<sup>96</sup> Bruneau, Thomas C. "Ministries of Defense and Democratic Civil-Military Relations." Center for Civil-Military Relations, Monterey, California. Pg. 11.

Gonzalez is the Secretary of the Navy. As military officers carrying out a defense plan to secure Mexico from an internal threat, any decisions and action they take will also affect domestic society as well.

According to Enrique Rojo at the Mexican Embassy, who quoted the Mexican constitution said, “no political appointment can be given to clergy or someone on active military status.”<sup>97</sup> Upon questioning this quote in relation to one of the appointees, this official responded that “the attorney general (AG) is currently on leave from active duty [which is similar to the inactive reserve option for National Guard officers in the United States], a condition and term unfamiliar to civilians.”<sup>98</sup> According to Rojo, the AG is also only exercising a technical function for the president and is refrained from making public policy. He further states that of the other military functionaries, which are also on active duty, they “simply relay orders from the president to the military commands in the field.”<sup>99</sup> However, regardless of how the constitution is circumvented, the fact remains that the top military leaders are the ‘guardians guarding the guardians,’ another practice not conducive to democracy. As a result, without democratic civilian control of the military, democracy cannot be consolidated.

## **2. Lack of a Civilian Minister of Defense and Ombudsman**

Although the four main purposes of MOD have already been described in Chapter II, the issues discussed in this section counters Mexico’s military practices, and further supports this thesis’ argument. Like many new democracies, Mexico does not have a minister of defense (MOD), an important civilian body that would provide the additional layers of civilians in control of the military.<sup>100</sup>

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<sup>97</sup> Testimony by Enrique Rojo, First Secretary of the Political Section, Embassy of Mexico. Personal interview conducted on June 8, 2001 at the Mexican Embassy in Washington, D.C. by Sergio Villarreal. Embassy of Mexico 1911 Pennsylvania Ave., N.W., Washington, D.C. 20006. Phone number for Enrique Rojo is (202) 728-1606. According to Mr. Rojo, the attorney general (AG) likes to be called by his earned title of “licenciado,” a law degree. The AG can go back to active status any time he wishes, or if he is relieved from his post by the president.

<sup>98</sup> Ibid.

<sup>99</sup> Ibid.

<sup>100</sup> For this discussion then, and here also, this author draws on the experiences of Professor Thomas Bruneau on MOD to illustrate how Mexico and its military could correct some undemocratic, redundant, and inefficient internal functions.

A civilian MOD with the appropriate power to make and enforce public policy in Mexico would remove the troubling element of the military policing itself and control the legitimate use of force in society. If left unchecked, the practice of the military policing itself could lead to civil war or the further disintegration of democracy.<sup>101</sup> Also, since the Mexican military has its own defense industry, requiring large budgets and personnel, a MOD would correct and improve the management of the nation's defense and security. With the employment of lawyers, finance and other experts, the MOD can achieve budget transparency, privatize defense contracts, and balance the hierarchy of military departments into equal status, making them more effective and efficient.<sup>102</sup>

Although separate from a MOD, the establishment of a civilian ombudsman office in military matters has been argued by some with the goal of serving as a watchdog organization. Considering that human rights violations have been conducted against civilians and soldiers alike by the military, the ombudsman could serve as a watchdog over the military establishment to protect those it comes in contact with.<sup>103</sup>

### **3. The Case of General Gallardo: Prisoner of Conscience**

The current Fox administration and members of the military are not exactly blind as to what should occur in Mexico's consolidation of democracy in relation to military prerogatives. However, the question is "Do they want real change?" Evidence suggests that the new "democratically elected" president is upholding the military's prerogatives despite obvious inconsistencies in the application of the rule of law within military circles. For example, the president has turned a deaf ear in the case of Mexican Army Brigadier General José Francisco Gallardo Rodríguez who, during the Salinas administration, publicly suggested the creation of a military ombudsman. The suggested duties of the ombudsman threatened the military's prerogatives of autonomy and secrecy and for that matter, neither the previous administrations, nor President Fox today, will reopen General Gallardo's case.

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<sup>101</sup> Bruneau, Thomas C. "Ministries of Defense and Democratic Civil-Military Relations." Center for Civil-Military Relations, Monterey, California. ([tbruneau@nps.Navy.mil](mailto:tbruneau@nps.Navy.mil)). Pg. 11.

<sup>102</sup> Ibid. Pg. 11, 13.

<sup>103</sup> Marco Vinicio Gallardo Enriquez. "La Defensa De Los Derechos Humanos Y La Seguridad." Nacional en México: el caso del General Gallardo. Instituto Nacional De Administración Publica, Centro De Investigacion Y Seguridad Nacional México, D.F. Noviembre del 2000. Pg. 17.

After publishing “The Necessity of a Military Ombudsman in Mexico”<sup>104</sup> (Translated from: Las necesidades de un ombudsman militar en México), General Gallardo Rodríguez was found to have committed a grave crime against the authoritarian regime.<sup>105</sup> The general suggested the ombudsman’s main role should be the supervision of the actions of high-ranking officers and military administration, and to oversee the correct application of the military budget.<sup>106</sup> He further suggested the oversight of the military in other areas, particularly those in which human rights abuses regularly occur.<sup>107</sup> When the general’s paper was first published, rather than internalize his suggestions, the Salinas administration and military leaders decided to silence this innovator because he embarrassed the institution and the president. On November 9, 1993, the general was arrested, tried in a military court of law, and convicted for the crime of slander, and defamation and slander against the Mexican Military per Article 280 of the Code of Military justice.<sup>108</sup>

Despite the recent transition to democracy, General Gallardo is still in prison and was recently labeled by human rights watchdog organizations as a ‘victim of conscience.’ The general has been labeled as such because the new Fox administration seems to want to forget the issue, rather than to do the right thing--reverse the general’s conviction. However, releasing General Gallardo would be an embarrassment and a blowback to the military establishment, an action that might destabilize civil-military relations at the apex of control during Mexico’s precarious consolidation of democratic. This case is a current example in which for the sake of retaining the military’s loyalty, President Fox will not venture into the military’s prerogatives; and thereby echoing President Aleman’s words and actions since 1946, that he would grant absolute respect to the military institution.

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<sup>104</sup> This was the result of his master’s thesis, parts of which were published in FORUM Magazine in October 1992.

<sup>105</sup> Ibid. Pg. 17.

<sup>106</sup> Rodriguez, Jose Francisco Gallardo. “The military Court, A Special Order.” Pg. 147. Ryan M. Zinn, (ed.). “Always Near, Always Far: The Armed Forces In Mexico.” Centro de Investigaciones Economicas y Politicas de Accion Comunitaria A.C. 1999.

<sup>107</sup> Ibid. Pg 221.

<sup>108</sup> Marco Vinicio Gallardo Enriquez. “La Defensa De Los Derechos Humanos Y La Seguridad.” Nacional En México: El Caso Del General Gallardo. Instituto Nacional De Administración Publica, Centro De Investigacion Y Seguridad Nacional México, D.F. Noviembre del 2000. Pg. 17.

## C. THE MEXICAN CONGRESS AND ITS LACK OF MILITARY CONTROLS

### 1. The Congress

According to Miguel Angel Centeno, the “Congress [in Mexico] has considerable constitutional powers but rarely challenges presidential authority.”<sup>109</sup> These Congressional powers stem from its proportional representation system, arguably more democratic than the U.S. model because in theory, it is more representative of the people. The Congress is made up of 628 members and is divided into a bicameral system.

Elected by	Chamber of Deputies	Chamber of Senators
Single-member districts	300	64 (two per state)
Proportional representation	200	1). 32 (first minority of second place party) 2). 32 (majority)
Total	500	128

Table 1. Electoral Representation of the Mexican Congress. Information Provided by Jorge-Luis Sierra, Security Specialist in Mexico.<sup>110</sup>

This representation is a percentage of the number of votes by elected winners in each district, and currently, distributed among the seven political parties. A fundamental problem of this system of representation is the principle of no reelection for the members of Congress who serve three-year terms. This political arrangement is not conducive to a proper functioning of the government as suggested by Ugalde, who further claims, “One term in office does not encourage inter-elite competition, but promotes and sustains the domination by a single party and a small political class.”<sup>111</sup> The political arrangement was “designed for a political system containing a dominant party and several minor parties of opposition, not for a genuinely competitive system in which an opposition party has a realistic chance of capturing a majority of seats.”<sup>112</sup>

<sup>109</sup> Miguel Angel Centeno. *Democracy Within Reason, Technocratic Revolution in Mexico*. Pg. 45. The Pennsylvania University Press 1957, 1994.

<sup>110</sup> Correspondence and interview via the Internet with Jorge-Luis Sierra, security specialist on Mexico in Mexico City. [jlsierra@hotmail.com](mailto:jlsierra@hotmail.com). Date: November 14, 2001.

<sup>111</sup> Miguel Angel Centeno. *Democracy Within Reason, Technocratic Revolution in Mexico*. Pg. 45. The Pennsylvania University Press 1957, 1994.

<sup>112</sup> Judith Gentleman, *Mexican politics In Transition*. Westview Press 1987. Pg. 210.

Furthermore, Ugalde argues that the law against consecutive elections transforms the electoral connection between the representatives and the electors into a fluid system.<sup>113</sup> This fluid system made it beneficial for political officials to listen to the executive rather than to constituents, [and through the reward system], became dependent on the PRI president.<sup>114</sup> Also, since representatives cannot be reelected, they do not have enough time to learn their jobs well. Although Fox has vowed to bring about constitutional reforms to allow for the reelection of members of Congress,<sup>115</sup> he still needs to solve the problem of how his new administration will be successful in their new democracy.

## **2. Existing Congressional Controls Over The Military**

There are limited controls over the military in Mexico, but they are not sufficient to restrain them. In fact, Mexico's Constitutional powers share similarities with the U.S. model, but only as they relate to the creation and maintenance of the armed forces. For example, the Mexican Constitution gives Congress the following powers.<sup>116</sup>

- Declare war based on the facts presented by the president
- Raise and sustain the armed institutions within the union including the regulation of: the Army, Navy, and Air Force [including the authorization of the defense budget]
- Provide regulations with the object of arming, organizing, and discipline the National Guard, reserving the fulfillment of the officer corp. and soldiers to the citizens, and to the states the powers to manage it based on the regulations in art. 73.
- The Senate has the exclusive powers to ratify promotions to colonels and above of the Army, Navy, and Air Force according to art. 76. [One measure of control]
- The Congress is also authorized to permit national troops to deploy outside the limits of the territory, and has the power to approve passage of foreign troops through the country,

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<sup>113</sup> Ugalde, Luis Carlos. "The Mexican Congress and the Armed Forces." Division de Estudios del Centro de Investigacion y Docencia Economicas (CIDE), Mexico. [lcugalde@msn.com](mailto:lcugalde@msn.com). Center for Hemispheric Defense Studies. Research and Education in Defense and Security Studies. May 2001, Wash., DC. Pg. 6.

<sup>114</sup> Ibid.

<sup>115</sup> U.S. Department of State, Bureau of Western Hemispheric Affairs. "Political Conditions," on Mexico, May 25 2001 pg. 3. Downloaded on 26 May 2001 from <http://www.state.gov/g/drl/rls/rem/index>.

<sup>116</sup> Ugalde, Luis Carlos. "The Mexican Congress and the Armed Forces." Division de Estudios del Centro de Investigacion y Docencia Economicas (CIDE), Mexico. [lcugalde@msn.com](mailto:lcugalde@msn.com). Center for Hemispheric Defense Studies. Research and Education in Defense and Security Studies. May 2001 Wash., DC. Pg. 2.



and to approve the station of foreign troops for more than one month in Mexican waters (art. 76).

- Has the power to give approval to the president in activating the National Guard outside of its respective states, and approving their use of force only as it is needed

The Mexican Congress also has the power (on paper) to conduct audits, investigations, and to question the secretary of National Defense to determine if the defense budget was spent honestly and legally.<sup>117</sup> However, the actual process by which the Congress could exercise those controls is not well explained in the literature, but what is abundantly clear, however, is that they have never been implemented. Despite the powers listed above, the Mexican Congress has not exercised its powers to control the military, and has not served as the counter balance to the president.<sup>118</sup> These facts lead this author to ask, “Why was there a Congressional passiveness during the dominance of the PRI regime?”

### **3. Congressional Passiveness**

The Congress’s blind and tacit blanket approval of the president’s defense budget without debates, modifications, or oversight during the reign of the PRI regime is historically famous. Although the opposition began to question the presidents’ plans between 1980 and 1990, their budgets continued being approved without significant changes.<sup>119</sup> The practice of rubber-stamping the expenditure plan has further facilitated the secrecy of the defense budget, and has enhanced the lack of oversight in military expenditures. Although these are the results of inaction, it is more appropriate to at least briefly investigate why the Congress has been passive for the last 71 years.

Although the PRI is no longer in power, to understand the lethargic reaction by the Congress in military matters today requires the analysis of the previous political arrangement. Similar to the PRI’s use of the punishment reinforcement system against the military, numerous articles and testimonies have provided evidence suggesting those methods were also used against the members of Congress.

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<sup>117</sup> Ugalde, Luis Carlos. “The Mexican Congress and the Armed Forces.” Division de Estudios del Centro de Investigacion y Docencia Economicas (CIDE), Mexico. [lcugalde@msn.com](mailto:lcugalde@msn.com). Center for Hemispheric Defense Studies. Research and Education in Defense and Security Studies. May 22-25, 2001, Washington, DC. Pg. 3.

<sup>118</sup> Ibid.

<sup>119</sup> Ibid. Pg. 7.

*Coercion* is one tactic of the persuasion argument that forced compliance to the illegal yet accepted political arrangement that allowed the PRI to dominate Mexico's politics. In his testimony during an interview with *El Universal*, Jesus Ortega, coordinator of the Party of the Democratic Revolution (PRD), talked about how many presidents before Fox violated the Constitution, while Ortega himself was made powerless. "I know many cases of Mexican presidents, before this one [Fox], who violated the law and the Constitution. [In fact], "I was never able [or allowed] to exercise the right to disagree, for obvious reasons."<sup>120</sup>

What might obvious reasons be? According to Ugalde, there are several political reasons why the Congress did not act during the PRI's 71 year-reign, but the most important one is PRI-led pressures on politicians. Unorthodox political pressure on politicians is one issue, but how far was the PRI willing to go to force compliance? In "Bordering on Chaos, Mexico's Roller-Coaster Journey Toward Prosperity," Oppenheimer suggests that even presidential candidates can be silenced if they threaten the PRI regime. In fact, on March 23, 1994, Donaldo Colosio, the man personally selected to be the next president by then President Salinas, was assassinated during a campaign trip, and other PRI members were soon suspected of having ties to the crime.<sup>121</sup> Sometime before his assassination, Oppenheimer had previously quoted Colosio saying that many in the PRI regime saw him as an open-minded politician. Then, three weeks before his death, Colosio gave a speech that threatened the PRI's old guard.<sup>122</sup> In his speech, Colosio "criticized Mexico's excessive concentration of power in the hands of the president, and had promised a series of democratic changes to 'end any vestige of authoritarianism.'"<sup>123</sup> As has been shown, lack of obedience to the PRI in Mexican politics could and did lead to death, but in more subtle ways, a reward system was also present and useful. For any key player in Mexico, non-compliance by penalty of death is an obvious reason to either comply with the PRI, or leave the political game.

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<sup>120</sup> FBIS translated text. (Internet downloaded 15 August from <http://199.221.15.211>). Document ID: LAP200106128000095. Title: Legislature Challenges Executive Branch on Limits to Power. Date of source: 06/28/200. Mexico City "El Universal."

<sup>121</sup> Oppenheimer, Andres. "Bordering on Chaos, Mexico's Roller-Coaster Journey Toward Prosperity." Little Brown and Company, 1996. Pg. 62.

<sup>122</sup> Ibid.

<sup>123</sup> Ibid.

Personal or political *rewards* gained by members of Congress after complying with the PRI's demands also support the persuasion argument. Unfortunately, it is more difficult to find supporting testimonies or other references to explain this portion of the argument for the obvious reason that politicians would not admit to the taking of bribes or other rewards. However, considering the mountain of evidence supporting the extent of corruption among Mexican officials, the reader can choose to agree or disagree on this point. Among the literature, however, the reader will find cases where corrupt officials enriched themselves without fear of prosecution (as if a reward for their support of the PRI). In fact, illegal enrichment by officials in Mexico is so well known that when President Zedillo gave his inauguration address in December 1994, he felt it necessary to turn to his cabinet and say, "The government is not a place for amassing wealth."<sup>124</sup> In some cases, investigations into crimes committed by PRI members were purposely slowed so that people could escape. For example, the arrest of Daniel Aguilar (who killed Jose Francisco Ruiz Massieu, a PRI official) revealed he had been hired by Fernando Rodriguez, a top aid to then PRI Congressman Manuel Munoz Rocha.<sup>125</sup> Upon his arrest, Rodriguez stated he had recruited Aguilar "on direct orders of Congressman Rocha."<sup>126</sup> However, the order to arrest Rocha was not made for weeks to come, and then suddenly, Rocha disappeared, escaping prosecution.

The reward system, at least for members of the PRI, can be explained in what is described by Ugalde as "meta-constitutionality." The Mexican presidents would handpick parliamentary leaders and promoted loyal legislators, efforts that were then rewarded with appointments as public administrators.<sup>127</sup> As to which tactic was more effective between reward or punishment does not matter. What is important is that the political

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<sup>124</sup> Ibid. Pg. 185.

<sup>125</sup> Ibid. Pg. 189.

<sup>126</sup> Oppenheimer, Andres. "Bordering on Chaos, Mexico's Roller-Coaster Journey Toward Prosperity." Little Brown and Company, 1996. Pg. 189.

<sup>127</sup> Ugalde, Luis Carlos. "The Mexican Congress and the Armed Forces." Division de Estudios del Centro de Investigacion y Docencia Economicas (CIDE), Mexico. [lcugalde@msn.com](mailto:lcugalde@msn.com). Center for Hemispheric Defense Studies. Research and Education in Defense and Security Studies. May 22-25, 2001, Washington, DC. Pg. 6.

arrangement designed by the PRI and supported by the military and intelligence service, kept the PRI in power for nearly a century.

There is a strong case that there is a lack of democratic controls over the military in Mexico, and that as long as civil-military relations continue as is, the danger to Mexico's democracy will continue. In the history of Mexican politics since the civil war, little has changed in the way the president controls the military. In fact, what occurred is that the president befriended the military apparatus and kept them loyal through a rewards and punishment reinforcement system. Today, the same old practices such as giving political appointments to active duty generals, ignoring their violations of civil rights and remaining unscathed, keeps the military from contesting authority. These methods of control are clearly undemocratic in nature and not supportive of the new democratic order that is supposed to become consolidated according to Sorensen. High prerogatives coupled with an extensive internal military role and countrywide militarization, is a volatile mixture that could spark disaster if a brave president or Congressman were to threaten the military establishment.

#### **D. CONCLUSION**

The military's prerogatives and the lack of executive and legislative controls stand as an obstacle in Mexico's consolidation of democracy. Also, the high prerogatives and lack of democratic controls is a volatile mixture that could explode under the right conditions, further threatening Mexico's democracy. A threat to the military's prerogatives by the president or the legislature is the only spark needed to explode into a military contestation of authority. Although the absence of a legacy of military contestation is why many argue Mexico is a stable country, that fact is only true as of 1946, when the first president took power. Before that timeframe, Mexico's civil-military relations were explosive. Mexico's history further shows that the prerogatives enjoyed by the military today, are a product of the long-held parallel structures between the PRI and the military establishment. However, even though Mexico now has a new democratically elected administration, the president is relying on political appointments of active duty generals, the PRI's age-old tactic used to gain the military's loyalty. These and other tactics employed by the new president is an indication that the military is a much-feared state institution. Because the PRI lost political control in 2000, it has left a void of control

over the military that the current president does not have. In summary, the lack of executive and legislative control coupled with high military prerogatives, equates to a volatile mixture that stands as an obstacle to Mexico's consolidation of democracy.

In the next chapter, the question of why the Mexican military is involved in domestic affairs is answered, but most importantly, explains the extent of that involvement. In fact, the military's role in society and its expansion and presence throughout the countryside is turning Mexico into a militarized zone. When coupled with high prerogatives, lack of democratic controls, and domestic militarization, it is clear that the current configuration of military roles, missions and privileges is not compatible with democracy.

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#### **IV. SECURITY DILEMMAS AND THE ROLES AND MISSIONS OF THE MEXICAN MILITARY**

As with most Latin American countries, Mexico perceives that the threat to the country is internal. However, the new democratic order in Mexico has not yet given way to roles and missions that can be characterized as being restrictive in nature while fulfilling only a support role in society. In fact, the military is essentially focused internally with little or no resources devoted to foreign deployment or defense against foreign aggression (except for a contingency plan for an invasion by the U.S., a lesson learned in 1846).

In this thesis, I have argued Mexico's consolidation of democracy is hindered by the military, however, Mexico may not yet fully realize the extent of this dilemma. So far, the Mexican government has only correctly identified the insurgency movement and illegal drugs as security problems, but not a subtler problem found elsewhere. As a result, a distinction has to be made between the two forms of problems facing Mexico today. The insurgency and drug problems are "external" from the government itself, initiated by individuals or groups in society, where the military as a state institution, is truly the Mexican government's internal dilemma. Blindly, however, the government's military response to the insurgency and drug problems only exacerbates the obstacle the military poses in Mexico's consolidation of democracy. The barrier to democratization is caused by the increase of prerogatives gained by the military in the form of increased involvement in domestic affairs, and the militarization of the countryside.

Therefore, in this chapter, the militarization of the countryside and the extent of the military's domestic role in society is analyzed in-depth. First, however, a discussion explains the reasons why Mexico employs the military in domestic affairs, in which the dilemmas posed by insurgency and illegal drugs are their primary concern. Further, a discussion includes the military's roles and missions in confronting these problems, followed by other roles and mission that are more intrusive into society and in the lives of ordinary citizens. The military's role in performing the functions of other key civilian organizations further stands as a hindrance to Mexico's democratization because other state institutions are kept from entrenching themselves.

## **A. WHY THE MILITARY IS INVOLVED IN DOMESTIC AFFAIRS**

Although some would argue that a military role in domestic affairs reduces readiness and blurs the line between them and other key state institutions, Mexico perceives itself as having no other choice. Mexico's demonstrated reliance on the military in many arenas is not compatible with a democracy, except for limited involvement in support of civilian authorities. Therefore, in relation to the appropriate use of the military in a democracy, why does Mexico rely on the military extensively?

As a general indicator of the extent of militarization in Mexico, the complete role of the Mexican military can be summed up and depicted in the following four defense plans.<sup>128</sup>

- Anti-Drug Operations
- Internal Security
- Disaster Relief
- National Defense

As a result of these four defense contingencies, all the missions planned and executed by the military in Mexico are designed to support such directives.

While America's 'Achilles heel' is the illegal drug problem, Mexico's thorns in its side are internal security issues. Although President Fox does not admit this, his primary concern (based on his demonstrated actions) is the diverse insurgency movement, which can be characterized as social-revolutionary. Over the last ten years, several new groups have emerged, and even after Mexico's transition to democracy, these groups explode bombs in protest almost monthly. Because 17 different groups have been identified and there is an increase in insurgent and terrorist activities, the Army is also heavily engaged in countering these threats. So great is the perceived threat of the insurgency movement to the old regime and the new democracy, that the military is involved in intelligence collection of civilians.

Under the auspices of disaster relief, the military, and particularly the Army provide a heavy presence throughout the countryside in civic action and humanitarian-

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<sup>128</sup> Ibid. Pg. 12.



type missions. While the Mexican military does not participate in peacekeeping outside the national border, they perform a similar role inside their borders.

From a personal observation, the main reason why the military is seen as the solution to all the internal affairs problems in Mexico is very simple--trust. In particular, the military has served as a national constabulary in Mexico City and other places, taking over police and drug enforcement duties because of the wide level of police corruption.<sup>129</sup> For example, in one account of this corruption in the Federal District of Mexico City alone, "six out of ten crimes committed have involved policemen."<sup>130</sup> In March 1995, police officers in a patrol car attempted to rob a man at gunpoint after they stopped him in his jeep, but their crime was interrupted when armed civilians started shooting at the police. It was only after the gun battle and their arrest that the police officers learned that the young man they robbed was President Zedillo's 19-year old son (and the armed civilians his bodyguards).<sup>131</sup> These types of incidents have been used to justify military involvement in policing, leading some observers to claim that Mexico is turning into a militarized zone. The militarization is a realistic concern when one considers the void of democratic controls, the expansion of jurisdiction, and the military's increased role in domestic affairs.

There is a wide spread perception that many Mexican government institutions cannot be trusted for reasons of corruption, ineptitude, or are under-equipped and poorly trained. A senior analyst on Mexico with the Central Intelligence Agency (CIA), concurred that the previous regime was plagued with corruption at all levels of the Mexican government, and in few cases, members of the military were involved as well.<sup>132</sup> For the most part, however, Mexican troops, like most others militaries in the world, also fulfill a certain persona of psychological and operational discipline, loyalty, a

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<sup>129</sup> Jane's Information Group, "Jane's Sentinel Security Assessment – Central America, on Mexico." September 28, 2000. Section 5.11.2, pg. 9.

<sup>130</sup> Turbiville, Graham H. Jr. Foreign Military Studies. "Law Enforcement And The Mexican Armed Forces: New Internal Security Missions Challenge The Military." Pg. 2. Date: February 23, 2000. Downloaded September 3, 2001 from <http://call.army.mil/call/fmso/>.

<sup>131</sup> Oppenheimer, Andres. "Bordering on Chaos, Mexico's Roller-Coaster Journey Toward Prosperity." Little Brown and Company, 1996. Pg. 304.

<sup>132</sup> This author visited the Central Intelligence Agency Headquarters on the 14<sup>th</sup> of May 2001 while a student at the Naval Post Graduate School. During this visit, the unnamed official was gracious in granting me an unscheduled discussion on Mexican politics, the military, and its transition to democracy.

can-do attitude, and the adherence to strict orders. Enrique Rojo also acknowledged that “The [Mexican] military has inherent discipline, and organizational skills needed to fill that void [left unfilled by civilian institutions].”<sup>133</sup>

## **B. THE DILEMMAS OF SECURITY AND ILLEGAL DRUG CONTROL**

While Mexico has many social problems such as poverty, unemployment and lack of higher education opportunities for its citizens, its security problems stem from insurgency and illegal drugs. It is these long-existing problems why successive Mexican governments have involved the military in internal affairs for many years.<sup>134</sup> In the case of insurgency, the Mexican Government sees the military as the only state institution capable of dealing with them. While in the case of illegal drugs, the Mexican Government sees the military as the least corruptible among all other state institutions responsible for countering that threat. In discussing these problems, the main theme is that insurgent groups have posed problems for many years, especially in recent years, and illegal drugs have corrupted all state institutions.

### **1. The Insurgency Dilemma**

Insurgencies are not recent phenomena in Mexico, and just to illustrate one of the earliest uprisings from its history, consider the following example. In January 1940, 60 Mayo Indians orchestrated an uprising after the government enacted new anti-religion legislation.<sup>135</sup> Since then, however, the insurgent movement has transformed itself and their actions against the government have grown in intensity during the last two administrations.<sup>136</sup> Today, of the three major security obstacles facing Mexico,

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<sup>133</sup> This author visited the Mexican Embassy on the 8<sup>th</sup> of June 2001 to discuss the Mexican military during the transition to democracy. Testimony by Enrique Rojo, First Secretary of the Political Section, Embassy of Mexico. Personal interview conducted on June 8, 2001 at the Mexican Embassy in Washington, D.C. by Sergio Villarreal. Embassy of Mexico 1911 Pennsylvania Ave., N.W., Washington, D.C. 20006. Phone number for Enrique Rojo is (202) 728-1606.

<sup>134</sup> Jane's Information Group, “*Jane's Sentinel Security Assessment – Central America, on Mexico.*” September 28, 2000. Section 5.11.2, pg. 9.

<sup>135</sup> State Department documents, “Political Affairs-Mexico.” File No. 812.00, document no. 30881 dated 4 January 1940.

<sup>136</sup> Claiming that Mexico was the ideal place to train and equip themselves before over-throwing Fulgencio Batista, then Cuba's dictator, Fidel Castro and Ernesto “Che” Guevara were arrested there in 1956.<sup>136</sup> Interestingly, after their arrest, an unusual relationship developed between them and Fernando Gutierrez Barrios, the man then in charge of investigating PRI opponents.<sup>136</sup> While attending the inauguration of Carlos Salinas De Gortari in 1988, Mexico's then new president, Castro and Barrios together later visited the very spot in Veracruz where Castro shoved off on his way to Cuba many years earlier.<sup>136</sup> Ironically, while the Mexican government allowed Castro and Che Guevara to visit Mexico, the government was ruthless with homegrown insurgent movements.

*insurgency* groups pose the most significant problem above *drugs* and *crimes*, since it is a disrupting social force that directly opposes the government and the military.

Contemporary insurgent movements in Mexico can be traced back to at least 1965, largely for reasons of social inequities and the repression of local populations.<sup>137</sup> Mexico's insurgency crested from 1971 to about 1977, and although there was a lull in activity after 1977, it persisted at a low level after the 1980s.<sup>138</sup> Despite severe government responses, insurgent groups sprung up throughout the country, training and equipping themselves and striking against the PRI-lead government and military forces. In recent times, the insurgency problem has been so significant that the military has found itself mobilizing more troops in mass to combat their attacks on the government.<sup>139</sup>

In the history of Mexico's insurgency, perhaps the one that has caused the biggest problem in one single action was the Ejersito Zapatista Liberacion Nacional (EZLN). On the eve of the inauguration of the North American Free Trade Agreement (NAFTA) between Mexico and the U.S., armed rebels of the EZLN initiated a coordinated attack and seized four towns and several villages.<sup>140</sup> After the takeover of that region, Jefe Felipe proclaimed that the action was a "declaration of war on the federal army of Mexico, [the] basic pillar of the dictatorship we suffer under, led by the party in power and headed by the executive power that today is in the hands of [a] maximum and illegitimate leader, Carlos Salinas de Gortari."<sup>141</sup>

What was intriguing about the EZLN coordinated attack is that it was a blow against the government at a strategic place—Chiapas. The state of Chiapas is one of Mexico's richest in natural resources, yet one of its poorest. Chiapas supplies 60 percent of Mexico's hydroelectric power, 47 percent of its natural gas, and 21 percent of the

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<sup>137</sup> Forecast International. Latin American and Caribbean Section. "Mexico: Analysis." June 2000, Pg. 4.

<sup>138</sup> Ibid. Pg. 4.

<sup>139</sup> "Mexico's Security Still Causes Concern." International Media Corporation. Defense and Foreign Affairs Strategic policy. Section; The America's, Pg. 7. Article date; January 31, 1997.

<sup>140</sup> GIS Research. "Mexico." Section: Insurgent and other groups.  
<http://gisresearch.com/online/Mexico.htm>. Pg. 31. Obtained July 11, 2001.

<sup>141</sup> Oppenheimer, Andres. "Bordering on Chaos, Mexico's Roller-Coaster Journey Toward Prosperity." Little Brown and Company, 1996. Pg. 20.

country's oil.<sup>142</sup> It is also one of Mexico's top producers of coffee, lumber, and beef.<sup>143</sup> Although President Salinas initially tried to play down this uprising as one conducted by few poor peasants and not worthy of concern, the EZLN knew exactly how to bring political pain to the president.

In August 2000, speaking on behalf of Mexico's National Defense, General Gerardo Ricardo Vega Garcia proclaimed that the military understood the causes of the insurgency problem. "The danger of the guerrillas is found in the causes of their origin: poverty and marginalization."<sup>144</sup> In other words, Mexico's poor find themselves at the edge of survival, and thus have been driven to the extremes of rational thinking. General Vega further stated that it is impossible to eradicate and dissolve the guerrillas using military force, and that the only thing they can do is enforce the anti-weapons and explosives laws to reduce their attacks. Despite this 'understanding,' the military has had to remain active in this area because the guerrilla movements are still springing up and unleashing violent acts against the government.<sup>145</sup>

As Mexico struggles to transition to democracy today, insurgency groups pose a menacing problem because they are again becoming more active, bold and violent, even after President Fox took office. What is apparent is a trend that seems to be picking up momentum in Mexico as evidenced in increased activities and explosions over the last few years. Consider the most significant insurgency actions listed in the table below, while a great number of smaller actions against the government are not listed. The point is just to illustrate that there is evidence of a trend in the insurgency movement in Mexico.

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<sup>142</sup> Ibid. Pg. 20.

<sup>143</sup> Ibid. Pg. 20.

<sup>144</sup> "Es Imposible Eradicar A Las Guerrillas Militarmente" [Translated as: It is Impossible to Eradicate the Guerrillas militarily]. *Diario De Monterrey*. Section: National News. August 28, 2001. Downloaded August 28, 2001 from <http://www.diariodemonterrey.com.mx>.

<sup>145</sup> Ibid.

Group	Timeframe	Event
EZLN	December 1994	Took over several towns in the state of Chiapas by force killing over 100 soldiers
Popular Revolutionary Army (EPR)	September, 1996	Carried out more than a dozen attacks against military and police posts
EPR	June, 1997	Ambushed a military-anti-drug patrol 60 kilometers West of Acapulco

Table 2. Information Obtained from Jane's, World Army Armies. "Current Developments and Recent Operations." 17 November 2000. [WWW.jane's.com](http://WWW.jane's.com).

The fact that new groups have been identified since 2000, and covered in the section on Emerging Trends, is perhaps an indication that the insurgency movement will continue.

## 2. The Mexican Dilemma of Illegal Drugs

In a few words, illegal drugs corrupt government elites and institutions, resulting in a loss of legitimacy in the eyes of the public. The growth in these problems was a sign that the authoritarian grip under the old regime was already in the process of breaking down.

Police institutions at local, state, and federal law enforcement agencies have been corrupted to the core due to the influence of illegal drugs. In 1995, the Mexican attorney general's office reported that 10 percent of the Federal Judicial Police (PJF) had been fired or suspended in a three-year timeframe due to ties with the drug cartels.<sup>146</sup> In many cases, police in Mexico are asked by drug runners to turn the other way in return for some amount of money, and when they don't, they are threatened with their lives. Sometimes police are simply threatened without being offered a bribe, but the result is the same—corruption by participation or by force. According to Andres Oppenheimer, some official in Mexico estimate that about 50 percent of the PJF were making money from drug traffickers.<sup>147</sup>

The political arena has also fallen prey to corruption due to the illegal drug problem. In September 1994, Raul Salinas, the brother of then Mexican President, was arrested for the murder of PRI official Jose Francisco Ruiz Massieu and for illegal

<sup>146</sup> Oppenheimer, Andres. "Bordering on Chaos, Mexico's Roller-Coaster Journey Toward Prosperity." Little Brown and Company, 1996. Pg. 302.

<sup>147</sup> Ibid.

enrichment.<sup>148</sup> Ten months later, his wife was arrested trying to withdraw money from Swiss banks under a false name, and officials later discovered over \$300 million in various accounts.<sup>149</sup> Eventually, Raul Salinas was sentenced to 50 years in prison. In another drug-political example, in August 1999, former Mexican Deputy Attorney General Mario Ruiz Massieu (brother of murdered PRI official) was indicted by a court in Houston, Texas on narcotics and money laundering charges and had previously been connected to over \$7.9 million in U.S. accounts.<sup>150</sup> Subsequently, and to avoid prosecution, Mario Riuz ended his life by overdosing on anti-depressant pills right before his trial.<sup>151</sup>

Although more disciplined than police and politicians, the military has also been shown not to be immune from taking bribes by drug dealers. Few have been corrupted, but those who have fallen include top military leaders. For example, in August 2000, Generals Mario Arturo Acosta Chaparro and Francisco Humberto Quiros Hermosillo were arrested for having ties to the Juarez cartel.<sup>152</sup> Also, only weeks after his appointment as the new head of the National Institute to Combat Drugs (INCD), Army General Jesus Gutierrez Rebollo was also arrested for having direct collaboration with Amado Carrillo Fuentes, head of the Juarez cartel.<sup>153</sup> Despite these setbacks for the military, the Mexican's believe this institution has not yet been corrupted to the core as other institutions have.

In democracy, non-corruptible institutions do matter for the proper functioning of government. When institutions charged with carrying out a specific function in society for society lose their legitimacy in the eyes of the public, it results in a loss of trust. When those who are charged with upholding the law or running the country do not play by the

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<sup>148</sup> Congressional Research Service. The Library of Congress. "Mexico—U.S. Relations: Issues for the 106<sup>th</sup> Congress." Updated June 12, 2000. By K. Larry Storrs, Foreign Affairs, Defense, and Trade Division. Pg. 4.

<sup>149</sup> Ibid.

<sup>150</sup> Ibid.

<sup>151</sup> Ibid.

<sup>152</sup> Turbiville, Graham H. Jr. Foreign Military Studies. "Mexico's evolving Security posture." Pg. 5. Date: August 10, 2001. Downloaded September 3, 2001 from <http://call.army.mil/call/fmso/>.

<sup>153</sup> Turbiville, Graham H. Jr. Foreign Military Studies. "Law Enforcement And The Mexican Armed Forces: New Internal Security Missions Challenge The Military." Pg. 4. Date: February 23, 2000. Downloaded September 3, 2001 from <http://call.army.mil/call/fmso/>.

rules, it leads the public to wonder why they should abide by the law. This corruption, which is prevalent among key institutions and elites in Mexico, could, in the future, conceivably lead to a breakdown of society because the additional corruption among police and politicians is a legacy in Mexico. These are strong indications as to why the military has been involved in countering the drug problem for many years, and why their roles and missions have been increased.

### **C. THE MILITARY'S ROLES AND MISSIONS IN COMBATING DRUGS AND INSURGENCIES**

Of all the other internal missions conducted by the military, counter drug operations are challenging in respect to the eradication requirements of the work, but it is certainly not a new mission. Historically, at least since 1933, the Mexican army has been counted on to destroy the production of marijuana and poppy fields, acts that resulted in thousands of hectares being destroyed.<sup>154</sup> Also, not new to the military, is that by 1940, U.S.-Mexican relations had already been well established in the fight against drug trafficking.<sup>155</sup> What is new, is that important aspects of the military have been modified to counter the threat posed by insurgency groups and drug gangs.

#### **1. The Expansion of the Military**

After the end of the Mexican revolution in 1924, the military's composition was patterned into the following four theaters of operation: The Central, Northwest, Northeast, and the Southwest Theater of Operations. These theaters were then divided into 10 Military Regions to fulfill their roles more efficiently. However, in response to insurmountable drug and insurgency problems, the Mexican Government has allowed the military to further expand its roles and missions in domestic affairs.

Since the middle 1970s, the army has been continuously expanding and increasing its role in counter drug operations. Today, the Mexican army has approximately 130,000 soldiers who are concentrated mostly in major population centers, including the federal capital, Guadalajara and Oaxaca.<sup>156</sup> Because of their increased involvement throughout

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<sup>154</sup> Gonzales, Guadalupe, and Tienda, Marta. The Drug Connection in the U.S.-Mexican Relations. Center of U.S.-Mexican Studies, San Diego, California, pg. 72.

<sup>155</sup> Ibid.

<sup>156</sup> Jane's Information Group, "*Jane's Sentinel Security Assessment – Central America, on Mexico.*" September 28, 2000. Section 5.11.2, pg. 10.

Mexico in countering illegal drugs, the military has been more effective than the police, deploying about 3,000 men at all times and frequently as many 16,000.<sup>157</sup> If additional manpower were to be needed for this mission in the future, the military could tap into its steady number of militia conscripts of approximately 60,000, much like the National Guard of the United States.<sup>158</sup>

The “1995 Mexican Army and Air Force Development Plan” announced by the Zedillo administration (1994-2000) and the National Defense Secretariat (SEDENA), gave the military direct participation in counter drug operations.<sup>159</sup> This change in policy further decentralized the command and control of the military and modified their traditional strategy and structure.<sup>160</sup>

## **2. The Military Structure at the Top of the Establishment**

At the upper echelons, the command and control of approximately 238,984 members of the military rests with the president as commander in chief of the armed forces.<sup>161</sup> With respect to the Army and Air Force, the senior Army officer serves as the secretary of national defense.<sup>162</sup> This particular arrangement is similar to the U.S. Army Air Corp. during World War II. An Under-Secretary of National Defense, also a senior Army officer, has direct responsibility for the Army. His Chief of Staff, who controls all the Army institutions and units, reports directly to the Under-Secretary of Defense. Furthermore, the Commander-in-Chief of Naval Operations, who reports to the Secretary and Under-Secretary of the Navy, is usually a retired senior naval officer. The Chief of Naval Staff is in control of all naval institutions, bases, territorial commands and units, and reports to the Commander-in-Chief of Naval Operations.

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<sup>157</sup> Ibid. Pg. 10.

<sup>158</sup> Jane's Information Group, “*Jane's Sentinel Security Assessment – Central America, on Mexico.*” August 18, 2000. Section 6.0.4, pg. 35.

<sup>159</sup> Turbiville, Graham H. Jr. “Law Enforcement and the Mexican Armed Forces: New Internal Security Missions Challenge the Military.” Foreign Military Studies Office. Pg. 6. <http://call.army.mil/call/fmsopubs/issues/mxcoparm>. Obtained September 5, 2001.

<sup>160</sup> FBIS translated text. (Internet downloaded 12 July from <http://199.221.15.211>). Document ID: LAP20010813000069. Title: Generals Seek Formal Status for Army in War on Drugs. Date of source: 08/13/2001 by Mexico City “La Jornada.” Pg. 1.

<sup>161</sup> Correspondence and interview via the Internet with Jorge-Luis Sierra, security specialist on Mexico in Mexico City. [jlsierra@hotmail.com](mailto:jlsierra@hotmail.com). Date: November 14, 2001.

<sup>162</sup> Jane's Information Group, “*Jane's Sentinel Security Assessment – Central America, on Mexico.*” September 28, 2000. Section 5.11.2, pg. 10.



### **3. Decentralization of Command and Control**

In the lower echelons of the military, there is decentralization of command and control in order to improve the effectiveness of planning and executing counter drug and insurgency operations.<sup>163</sup> One indicator of this decentralization is the creation of a coordination center for countering the drug threat, away from traditional military lines of authority. Also, each individual military department has further decentralized their command and control, measured by a significant increase of their presence throughout Mexico by expanding their areas of operation (or jurisdiction). For example, Operacion Azteca and Frontera respectively, have been successful in addressing the restoration of internal order and security of vital installations and civic action programs at lower operational levels.<sup>164</sup>

The development of an “Inter-Agency Coordination Center” headed by the Attorney General’s Office, has decentralized the command and control of the military forces to improve coordination in counter drug operations.<sup>165</sup> From this center, the Secretariat of National Defense (SEDENA) coordinates military responses with airborne, land and amphibious missions. Also, from this center, all other government land and air assets, as well as maritime and amphibious interdiction units are coordinated to counter the drug threat. In addition, the center serves as a specialized training center, and an all-inclusive radar information collection and analysis system. Individually, the presence of Army, Navy, and Air Force personnel have been arrayed throughout Mexico to better counter the two major security threats—insurgency and illegal drugs.

#### ***a. Army’s Strength and Strategic Emplacement***

The Army has restructured its tactical deployment of troops and units by including two additional military regions and expanding the military zones to 44 from 20, in order to more adequately cover the areas experiencing heavy drug traffic.<sup>166</sup> The new

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<sup>163</sup> Forecast International. Latin American and Caribbean Section. “Mexico (Market Overview), Future Requirements.” June 2000, Pg. 2.

<sup>164</sup> Ibid.

<sup>165</sup> Ibid.

<sup>166</sup> FBIS translated text. (Internet downloaded 12 July from <http://199.221.15.211>). Document ID: LAP20010813000069. Title: Generals Seek Formal Status for Army in War on Drugs. Date of source: 08/13/2001 by Mexico City “La Jornada.” Pg. 1.

12 military regions shown in the table below, further demonstrate the decentralization of major commands, each responsible for their military zones.

Region	Head Quarters in; City	State	Regions Commanded By:	Inclusive Military Zones
1	Distrito Federal	Mexico	Jose Angel Garcia Elizalde, Div. Comdr. General	1,22,23,24,37
2	Mexicali	Baja California	Rigoberto Castillejos Adriano, Div. Comdr. General	2,3,4,40
3	Mazatlan	Sinaloa	Enrique Tomas Salgado Cordero, Div. Comdr. General	9,10
4	Monterrey	Nuevo Leon	Jose Domingo Ramirez Garrido Abreu, Div. Comdr. General	7,8,12
5	Guadalajara	Jalisco	Gaston Menchaca Arias, Div. Comdr. General	11,13,14,15,20,41
6	La Boticaria	Veracruz	Luis Montiel Lopez, Div. Comdr. General	18,19,25,26
7	Tuxtla Gutierrez	Chis	Abraham Campos Lopez, Div. Comdr. General	29,30,31,36,38,39
8	Ixtepec	Oaxaca	Rigoberto Rivera Hernandez, Div. Comdr. General	28,44
9	Cumbres de Llano Largo	Guerrero	Mario Lopez Gutierrez	27,35
10	Merida	Yucatan	Felipe Bonilla Espinabarro	32,33,34
11	Torreon	Coahuila	Mario Renan Castillo Fernandez, Div. Comdr. General	5,6,42
12	Irapuato	Guanajuato	Jose Francisco Javier Sandoval Gutierrez, Div. Comdr. General	16,17,21,43

Table 3. Location of Major Commands for The Mexican Army by Region Number. National Defense (SEDENA) Website <http://www.sedena.gob.mx/>. July 19, 2001.

This structure is much like the Commanders-in-Chiefs of the various U.S. commands throughout the world such as Southern Command and others. It is important to point out that throughout the military regions, there is no civilian authority directing or monitoring their involvement in internal security.

According to Jane's Information Group, the present order of battle cannot be accurately determined since the Mexican military is currently conducting reorganization and reshuffling of its forces.<sup>167</sup> Nevertheless, as of 1999, the Mexican army was further divided into 44 Military Zones and was arrayed into strategic locations as shown in the table below and illustrated in Map Two in the page that follows.

<sup>167</sup> Jane's Information Group, "Jane's Sentinel Security Assessment – Central America, on Mexico." September 28, 2000. Section 5.11.2, Pg. 12.

Zone Number	City	State	Commander
1	Tacubaya	Mexico, D.F.	Sergio Ayon Rodriguez, Brigadier Gen.
2	Tijuana	Baja California	David Roberto Barcena Rios, Brigadier Gen.
3	La Paz	Baja California	Mauricio Avalia Median, Brigadier Gen.
4	Hermosillo	Sonora	Marcelino Mendoza Jardines, Brigadier Gen.
5	Chihuahua	Chihuahua	Guillermo Galvan Galvan, Brigadier Gen.
6	Saltillo	Coahuila	Francisco Armando Meza Castro, Brigadier Gen.
7	Escobedo	Nuevo Leon	Arturo Olgin Hernandez, Brigadier Gen.
8	Reynosa	Tamaulipas	Luis Roberto Gutierrez Flores, Brigadier Gen.
9	Culiacan	Sinaloa	Francisco Moreno Gonzalez, Brigadier Gen.
10	Durango	Durango	Jorge Issac Jimenez Garcia, Brigadier Gen.
11	Guadalupe	Zacatecas	Joaquin Taboada Martinez, Brigadier Gen.
12	San Luis Potosi	San Luis Potosi	Bernardo Segura Nieto, Brigadier Gen.
13	Tepic	Nayarit	Arturo Perez Cabello, Brigadier Gen.
14	Aguascalientes	Aguascalientes	Sergio Joel Bautista Gonzalez, Brigadier Gen.
15	La Mojonera	Jalisco	Fernando Cardoso Partida, Brigadier Gen.
16	Sarabia	Guanajuato	Hector Ifredo Monroy Plascencia, Brigadier Gen.
17	Queretaro	Queretaro	Jorge Juarez Loera, Brigadier Gen.
18	Pachuca	Hidalgo	Humberto Eduardo Antimo Miranda, Brigadier Gen.
19	Tuxpan	Vera cruz, N	Lui Pineda Orosco, Brigadier Gen.
20	Colima	Colima	Juan morales Fuentes, Brigadier Gen.
21	Morelia	Michoacan	Jose Ruben Rivas Pena, Brigadier Gen.
22	Toluca	Mexico	Sergio Oscar Francisco Fernandez Barragan, Brig. Gen.
23	Panotla	Tlaxcala	Juan Hernandez Avalos, Brigadier Gen.
24	Cuernavaca	Morelos	Luis Angel Francisco Cabaza De Vaca Avalos, Brig. Gen.
25	Puebla	Puebla	Mario Pedro Juarez Navarrete, Brigadier Gen.
26	El Lencero	Veracruz	Salvador leonardo Bejarano Gomez, Brigadier Gen.
27	Ticui	Guerrero, N	Oswaldo Fernando Canto Gonzalez, Brigadier Gen.
28	Ixcotel	Oaxaca	German trejo Zozaya, Brigadier Gen.
29	Minatitlan	Vera Cruz, S	Antelmo Jimenez Jimenez, Brigadier Gen.
30	Villahermosa	Tabasco	Francisco Arriola Arriola, Brigadier Gen.
31	Rancho Nuevo	Chiapas, N	Hextor Sanchez Gutierrez, Brigadier Gen.
32	Villadolid	Yucatan	Alfredo Fregoso Cortes, Brigadier Gen.
33	Campeche	Campache	Adrian Maldonado Ramirez, Brigadier Gen.
34	Chetumal	Quintana Roo	Sergio Aponte Polito, Brigadier Gen.
35	Chilpancingo	Guerrero, S	Arturo Galindo Romero, Brigadier Gen.
36	Tapachula	Chiapas, S	Jose de Jesus Humberto Rodriguez Martinez, Brig. Gen.
37	Santa Lucia	Mexico	Juan Alfredo Oropeza Garnica, Brigadier Gen.
38	Tenosique	Tabasco	Manuel Sanchez Aguilar, Brigadier Gen.
39	Ocosingo	Chiapas	Federico Juarez Santos, Brigadier Gen.
40	Guerrero Negro	Baja California Sur	Sergio Lopez Esquer, Brigadier Gen.
41	Puerto Ballarta	Jalisco	Carlos Garcia Priani, Brigadier Gen.
42	Santa Gertrudis	Chihuahua	Julian David Rivera Breton, Brigadier Gen.
43	Apatzingan	Michoacan	Sergio Magana Mier, Brigadier Gen.
44	Miahuatlan	Oaxaca	Gilberto Toledano Sanchez, Brigadier Gen.

Table 4. Military Zones of the Mexican Army and Names of Current Zone Commanders. National Defense (SEDENA) website <http://www.sedena.gob.mx/>. Obtained July 19, 2001



Figure 6. Map created CPT. Sergio Villarreal. Information obtained from National Defense (SEDENA) website <http://www.sedena.gob.mx/>. July 19, 2001.

Today, the Mexican army still stands as a very visible figure and the principle fighter of drugs in Mexico. In 1984-85, army soldiers manually destroyed 38 percent more opium hectares than the federal judicial police and their helicopter spray ships.<sup>168</sup> In January 2000, a writer with the Wall Street Journal tracked the daily activities of a Mexican army unit's destruction of marijuana and poppy fields. "On any given day [in the year 2000], Mexico has about 36,000 troops—one out of five—engaged in the backbreaking work of eradicating the patches of marijuana and poppies that dot the country's arid and mountainous backlands."<sup>169</sup> During an extended mission, this unit bivouacked in tents for six weeks to destroy a large field with eight-foot tall marijuana

<sup>168</sup> Edited by Donald Mabry, "The Latin American Narcotics Trade and U.S. National Security." Greenwood Press. Pg. 35.

<sup>169</sup> Wall Street Journal, "Army Takes a More Public Role as Mexican Democracy Grows." January 31, 2000.

plants, a particular type of work these soldiers see as a waste of time. Their commander, Capt. Lopez said, “We destroy the plantations, but they come back, again and again.”<sup>170</sup>

The drug eradication program in Mexico has not only shown to be physically demanding work, but also dangerous. For example, the poppy-destruction work of another Mexican unit was temporarily halted the previous year when three soldiers were wounded and two civilians were killed, after opium growers tried to defend their crops. Apparently, yet silently, American officials do acknowledge the high risks and costs to the Mexican military in the war on drugs. After interviewing a U.S. Military Attaché in Mexico in 1989, The Wall Street Journal reported that the U.S. was keenly aware of the many Mexican soldiers and sailors lost in drug-related assignments.<sup>171</sup>

***b. Navy/Marine Strength, Training, and Strategic Emplacement***

Only a few years ago, the Mexican Navy had at one time approximately 27,000 sailors including 1,100 naval aviation personnel, and 8,600 Marines.<sup>172</sup> In their efforts to adapt to internal security threats, the Navy now stands at approximately 55,687 personnel.<sup>173</sup> Furthermore, in their efforts to expand their capabilities like the Army, the Navy purchased 40 high-speed boats to increase its efficiency in drug interdiction. By U.S. standards, the Mexican Navy is considered very efficient in their maintenance despite an aging fleet dating back to World War II era ships.<sup>174</sup> Although the Navy normally patrols to control fisheries and protect oil platforms, it is also frequently called out for counter drug operations.<sup>175</sup>

In order to be more responsive to the needs of the Mexican Government and to better counter the drug threat by sea, the Navy has also arrayed itself accordingly, and is displayed in the following map.

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<sup>170</sup> Ibid.

<sup>171</sup> Gonzales, Guadalupe, and Tienda, Marta. “The Drug Connection in the U.S.-Mexican Relations.” Center of U.S.-Mexican Studies, San Diego, California, pg. 90.

<sup>172</sup> Jane’s Information Group, “Jane’s Sentinel Security Assessment – Central America, on Mexico.” November 1, 2000. Vol. 105; No. 9.

<sup>173</sup> Correspondence and interview via the Internet with Jorge-Luis Sierra, security specialist on Mexico in Mexico City. [jlsierra@hotmail.com](mailto:jlsierra@hotmail.com). Date: November 14, 2001.

<sup>174</sup> Ibid.

<sup>175</sup> “Aging Fleet Seeks Change For The Better.” Jane’s Navy International. November 1, 2000. Fleet Review Vol. 105; No. 9. Pg. 1.

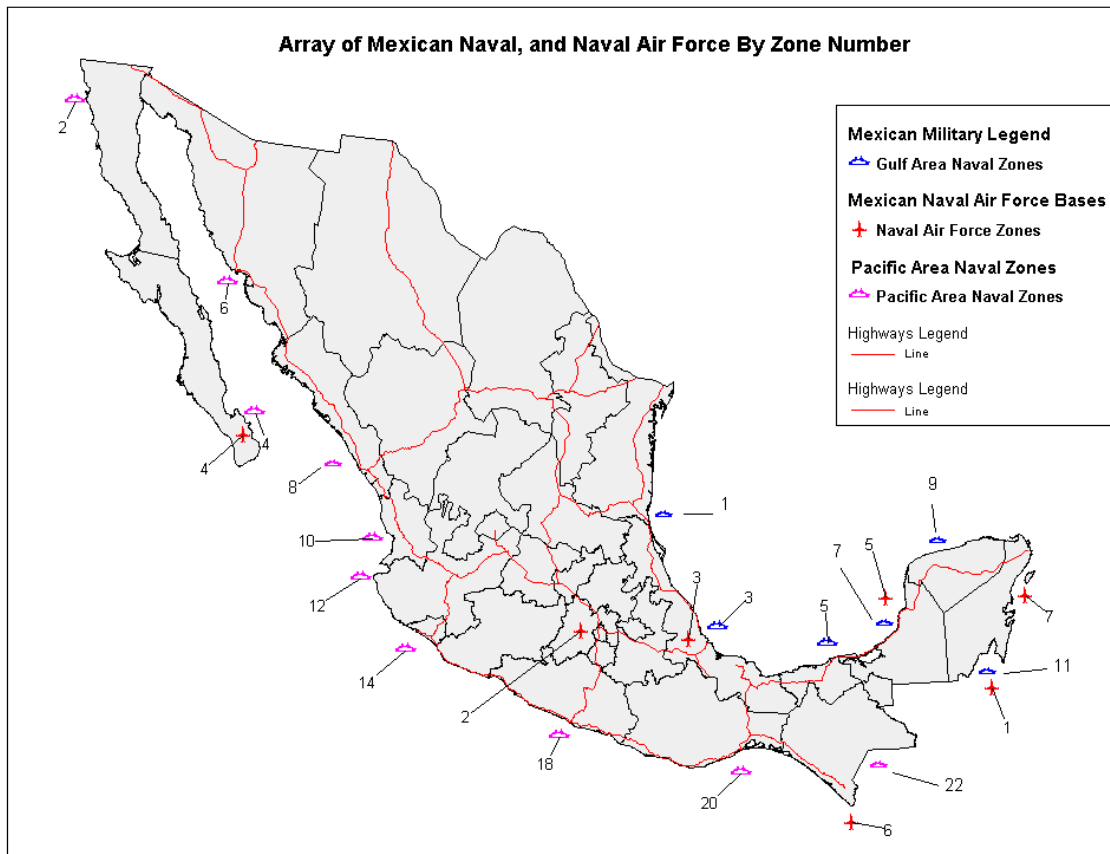


Figure 7. Location of Naval and Naval Air Force by Zone Numbers. Information obtained from National Defense (SEDENA) Website <http://www.sedena.gob.mx/>. July 19, 2001.

The geographical emplacement of the Navy is divided into two territorial commands, the Gulf and Caribbean Naval Force (HQ in Tuxpan, Vera Cruz), and the Pacific Naval Force (HQ in Acapulco).<sup>176</sup> The Gulf Area is divided into three Naval Regions, and comprised of six Naval zones and eight Naval sectors as shown in the table below.

<sup>176</sup> Jane's Information Group, "Jane's Sentinel Security Assessment." September 28, 2000. Central America, on Mexico Pg. 23.

Naval Region	Naval Zone Number	City	State
<b>1 North East</b>		<b>Tuxpan</b>	<b>Veracruz</b>
	1	Ciudad Madero	Tamaulipas
	3	Veracruz	Vera Cruz
<b>3 East</b>		<b>Frontera</b>	<b>Tabasco</b>
	5	Frontera	Tabasco
	7	Lerma	Campache
<b>5 Caribbean Sea</b>		<b>Chetumal</b>	<b>Qunitana Roo</b>
	9	Yucalpeten	Yucatan
	11	Chetumal	Qunitana Roo

Table 5. Gulf Area Naval Zones and Regions. Information obtained from National Defense (SEDENA) website <http://www.sedena.gob.mx/>. July 19, 2001.

On Mexico's west side, the Navy is comprised of three Naval regions, and is further divided into 11 Naval zones and 10 Naval sectors. Table three below illustrates the Navy's strategic locations on the Pacific side.

Region	Naval Zone Number	City	State
<b>2 North West</b>		<b>Guaymas</b>	<b>Sonora</b>
	2	Ensenada	Baja California Sur
	4	La Paz	Baja California Sur
	6	Guaymas	Sonora
	8	Mazatlan	Sinaloa
	10	San Blas	Nayarit
	12	Puerto Vallarta	Jalisco
	14	Manzanillo	Colima
<b>4 West</b>		<b>Manzanillo</b>	<b>Colima</b>
	10	San Blas	Nayarit
	12	Puerto Vallarta	Jalisco
	14	Manzanillo	Colima
<b>6 Southwest</b>		<b>Lazaro Cardenas</b>	<b>Michoacan</b>
	18	Acapulco	Guerrero
	20	Salina Cruz	Oaxaca
	22	Puerto Madero	Chiapas

Table 6. Pacific Area Naval Zones and Regions. Information Obtained from National Defense (SEDENA) website <http://www.sedena.gob.mx/>. July 19, 2001.

The Navy also has its own Naval air support comprised of seven squadrons displayed in the previous map, however, the one in Tacepan has not been confirmed.<sup>177</sup> These locations are listed in the table on the next page.

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<sup>177</sup> Ibid. Pg. 23.

Squadron Number	City	State
1	Chetumal	Quintana Roo
2	D.F.	Capital
3	Veracruz	VeraCruz
4	La Paz	Baja California
5	Campeche	Campeche
6	Tapachula	Chiapas
7	Tulum	Inactive
8	Taecapan	Not Confirmed

Table 7. Mexican Naval Air Force. Information obtained from National Defense (SEDENA) website <http://www.sedena.gob.mx/>. July 19, 2001.

Although the Mexican Marines are mainly used for security of Naval installations and coastal defense, they have also been adapted to better combat the threat from counter-insurgency and illegal drugs.<sup>178</sup> By infantry standards, the Marines are well equipped with U.S. and European-made weapons, and recently acquired 90 raiding craft and 60 Swedish Stridsbads boats.<sup>179</sup> Some of these speedboats are used in counter drug operations because of their ability to outpace and overtake drug-smuggling speedboats. Many Marines have been reassigned to carry out police functions, a transition which only required them to exchange their uniforms for civilian clothes.<sup>180</sup>

### *c. Air Force Improvements*

In their efforts to also adapt to Mexico's security needs, the Air Force increased their personnel by 2.15 percent in total manpower, which now maintains approximately 11,170 airmen. Although the Air Force recently did away with 55 old aircraft, they are gearing up for a fleet of armed helicopter gun ships. The Air Force has also been outfitted in the last few years with special aircraft to detect and counter airplanes carrying contraband within Mexico, including flights coming from Central and South America.<sup>181</sup>

<sup>178</sup> "Aging fleet seeks change for the better." Jane's Information Group Limited, Jane's Navy International. November 1, 2000. Vol. 105; No. 9. Pg. 1.

<sup>179</sup> Forecast International. Latin American and Caribbean Section. "Mexico: Analysis." June 2000, Pg. 2.

<sup>180</sup> Ramiro Ramirez, Ph.D. Lead Researcher and professor of criminology at the Universidad Autonoma de Mexico (UNAM) in Monterrey, Mexico. Testimony obtained by telephone at 8-01152-8115-5840, and by email at rramirezperez@hotmail.com. These interviews were conducted on several occasions from March to May 2001.

<sup>181</sup> "Mexican Air Force buys 73 Cessna planes for drug war." Phillips Business Information, Inc. Defense Daily. December 23, 1999..Vol. 204, No. 56, Pg. 60.



The regions of the Air Force are divided into three sections, including the Center, South East, and Northern Regions as shown in the table below. Nineteen bases as shown in the following table, further divide these regions.

State	Region Area	Region Comanders:
D.F.	Center Region	Juan Manuel Wonchee Montaño, Gral. Div. P.A.
Chiapas	South East Region	José Dario Magaña López, Gral. Div. P.A. DEMA.
Chihuahua	Northern Region	Benjamín Pacheco Coronel, Gral. Div. P.A. DEMA.

Table 8. Major Regions for the Mexican Air Force and Names of Region Commanders. Information obtained from National Defense (SEDENA) website <http://www.sedena.gob.mx/>. Obtained July 19, 2001.

Air Force Base Number:	City	State	Commanders
1	Santa Lucía	Mexico	Sergio Parra Estrada, Gral. Ala P.A. DEMA.
2	Ixtepéc	Oaxaca	Misael Orrostieta Díaz, Gral. Ala P.A. DEMA.
3	Ciprés	Baja California	Jesús Andrés Delgado Morán, Gral. Gpo. P.A. DEMA.
4	Cozumel	Quintana Roo	Mario Castro Sánchez, Gral. Gpo. P.A. DEMA.
5	Zapopan	Jalisco	Roberto Bernardo Huicochea Alonso, Gral. Div. P.A. DEMA.
6	Tuxtla Gutiérrez	Chiapas	Leonardo González García, Gral. Ala P.A. DEMA.
7	Pie de la Cuesta	Guerrero	José Sánchez Sandoval, Gral. Ala P.A. DEMA.
8	Mérida	Yucatan	Manuel Víctor Estrada Ricardez, Gral. Ala P.A. DEMA.
9	La Paz	Baja California Sur	Juan A. Villasana Castillo, Gral. Ala P.A. DEMA.
10	Culiacán	Sinaloa	Carlos Torres Arroyo, Gral. Ala P.A. DEMA.
11	Santa Gertrudis	Chihuahua	Conrado Armenta Castro, Gral. Ala P.A. DEMA.
12	Tijuana	Baja California	Arturo Pérez Mejía, Gral. Ala P.A. DEMA.
13	Chihuahua	Chihuahua	Sergio A. Escobar Juan, Gral. Gpo. P.A. DEMA.
14	Monterrey	Nuevo Leon	Terrence Emmett Ryan Garcia, Gral. Gpo. P.A. DEMA.
15	Oaxaca	Oaxaca	Julio Antonio Ponte Romero, Gral. Ala P.A. DEMA.
16	Cd. Pemex	Tabasco	José Luis Irineo Saldivar, Gral. Gpo. P.A. DEMA.
17	Copalar	Chiapas	Eloy Humberto Astudillo Salazar, Gral. Gpo. P.A.
18	Hermosillo	Sonora	Guillermo Ponce Ruíz, Gral. Ala P.A.
19	Atlangatepec	Tlaxcala	Ricardo Flores Coss, Gral. Gpo. P.A. DEMA.

Table 9. Location of Mexican Air Force Bases and Name of Current Commanders. Information obtained from National Defense (SEDENA) website <http://www.sedena.gob.mx/>. Obtained July 19, 2001.

In late 1999, the Mexican government bought 73 Cessna 182 Skylane airplanes for reconnaissance and drug plantation eradication at a purchase price of \$18 million.<sup>182</sup> In an effort to further modernize an aging fleet of helicopters, the Air Force bought five other airplanes that serve as aerial platforms equipped with state-of-the-art technology radar and electronic sensors.<sup>183</sup> Further plans have also been made to

<sup>182</sup> Phillips Business Information, "Mexican Air Force buys 73 Cessna planes for drug war," December 23, 1999.

<sup>183</sup> Ibid.

purchase approximately \$500 million in military surveillance and technological equipment through 2001.<sup>184</sup>

The Air Force also has a group of Grupos Aereos de Fuerzas Especiales (GAFES) [Airborne Special Forces Groups] assigned to them, and although they have specific missions, they are at the Air Force's disposition as additional security forces.<sup>185</sup> These units are supported by the Air Force to get to and from a variety of missions. Although they depend on the Air Force for administrative purposes and transportation, these GAFES actually belong to a paratrooper brigade that only receives orders from the highest military command within the National Defense.<sup>186</sup> The members of the GAFES, whose training will be discussed in the next section, were, as of June 2000, represented in strategic locations. For example, one was located at the high command, 24 of them in military regions, and 41 in the military zones.<sup>187</sup> Also, it is believed there are groups of pilots who form part of the Special Operations Squadrons.

### **3. Army Special Forces Units and Acquisition of Equipment**

A particular noteworthy accomplishment by the Mexican's themselves has been the creation of both the GAFES in 1986, and the Special Forces in 1995. Both units owe their beginnings to an airborne unit created in 1946.<sup>188</sup>

The Special Forces are destined to fulfill a gamut of operations that guarantee the internal order of the country, defense of sovereignty, support to civilian authorities in disasters, and counter drug operations.<sup>189</sup> A six-month training program prepares an all-officer and all-volunteer force for Special Forces duty that includes training of conventional forces, but also to carry out their own operations as well.<sup>190</sup>

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<sup>184</sup> Ibid.

<sup>185</sup> Secretaria De Defensa Nacional web site. [Secretariat of National Defense]. <http://www.sedena.gob.mx>. Special Forces section. Pg. 2. Downloaded November 19, 2001.

<sup>186</sup> Ibid.

<sup>187</sup> Forecast International. Latin American and Caribbean Section. "Mexico: Analysis." June 2000, Pg. 2.

<sup>188</sup> Secretaria De Defensa Nacional web site. [Secretariat of National Defense]. <http://www.sedena.gob.mx>. Air Force section. Pg. 1. Downloaded November 19, 2001.

<sup>189</sup> Ibid. Pg. 6.

<sup>190</sup> Ibid.

Their specialization includes a variety of training modeled after the U.S. Green Berets, and is particularly adept at counter drug operations. They receive training in small-unit tactics in the jungles of the state of Quintanaroo in the Southeast tip of Mexico,<sup>191</sup> in what used to be Mayan country from 300 to 900 A.D.<sup>192</sup> Desert training is conducted in the state of Chihuahua south of Texas, scuba diving and amphibious training in Guerrero and other port areas, and parachuting and airmobile training in other states.<sup>193</sup> They also receive additional training in mountaineering, basic medical training, and survival, all necessary skills, which are also suitable for the dangers of countering the drug trade in remote areas throughout Mexico.<sup>194</sup>

The GAFES also form part of the Special Forces because they serve as a quick reaction force for counter drug and counter insurgencies, since they have specialized training in communications and light weapons. An amphibious version of the GAFES know as GANFES, also conducts underwater operations, and have specialized fast boats for countering drugs.<sup>195</sup>

After graduating 20 officers and 30 soldiers from the U.S. Army's Airborne School at Fort Benning, Georgia, Mexico established an airborne unit on July 20, 1946.<sup>196</sup> At the present, this group has grown into a brigade of airborne soldiers who now report to the high military command, who at any time can be ordered to respond to "any" situation.<sup>197</sup> The airborne brigade is composed of infantry soldiers, some of which are also trained in High Altitude-Low Opening parachute jumps.

On several occasions, Mexico has allowed its military to receive specialized training from the United States in counter drug operations, counter-insurgency,

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<sup>191</sup> Ibid. Pg. 9.

<sup>192</sup> Lombardi, John V. and L Cathryn, and Stoner, K. Lynn. "Latin American History: A Teaching Atlas." The University of Wisconsin Press, 1983. Pg. 15.

<sup>193</sup> Secretaria De Defensa Nacional web site. [Secretariat of National Defense]. <http://www.sedena.gob.mx>. Special Forces section. Pg. 7-8. Downloaded April 19, 2001.

<sup>194</sup> Ibid. Pg. 8.

<sup>195</sup> Forecast International. Latin American and Caribbean Section. "Mexico: Analysis." June 2000, Pg. 4. Website: [forecast1.com](http://forecast1.com).

<sup>196</sup> Secretaria De Defensa Nacional web site. [Secretariat of National Defense]. <http://www.sedena.gob.mx>. Special Forces section. Pg. 7-8. Downloaded April 19, 2001.

<sup>197</sup> Ibid. Pg. 2.

intelligence and counter-intelligence. In 1996, upon the request of Defense Secretary William Perry, Mexico agreed to participate in modernized training, academic exchange of officers, and additional counter drug training.<sup>198</sup> Counter drug training continues today within Mexico by those who have already been trained in the United States and other countries.

#### **4. Shifting Units to the Borders**

##### ***a. The Army's Interdiction Role on the North and South Borders***

Mexico's north and southern borders have been affected by the military's expansion of its jurisdiction and presence throughout Mexico in responding to internal security problems. The realization that their borders are permeable to the transnational shipment of drugs has caused them to reorient their forces accordingly. For example, 21 motorized cavalry regiments, 45 infantry battalions, and 24 infantry companies were relocated from throughout Mexico to specific areas along those borders.<sup>199</sup>

The army's presence in the southern border is required because of the particular types of tension that have developed there over the last few years. First, the 650 miles of land it shares with Guatemala and Belize, two countries that are less developed, have posed an immigration problem requiring an active presence by the Mexican border patrol. Second, because Guatemala and Belize are also used as transit routes for drug smuggling into Mexico, countering this threat requires the military's expertise in conducting patrols in a jungle environment. Finally, Chiapas is particularly sensitive since this location is where Comandante Marcos and his Zapatista rebels are known to operate.

While certain Army units attempt to put up a shield against drugs and undocumented aliens and guard against insurgents in the southern border, the mission in the northern border is one of containment. The northern border is by far more challenging in the Army's fight against drug trafficking because the containment stretches for 2,000 miles, and thus requires more troops. Although not alone on this border, since the

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<sup>198</sup> "Mexico quashes joint military exercises with the U.S." Phillips Business Information, Inc. Armed Forces Newswire Service. March 19, 1996.

<sup>199</sup> FBIS translated text. (Internet downloaded 12 July from <http://199.221.15.211>). Document ID: LAP20010813000069. Title: Generals Seek Formal Status for Army in War on Drugs. Date of source: 08/13/2001 by Mexico City "La Jornada." Pg. 1.

Mexican Alfa and Beta border patrol/migrant protection groups provide an additional layer of police of presence,<sup>200</sup> the fight here is still a problematic one.

Furthermore, the military's role in the northern border is more complex because of the added difficulty of conducting counter drug operations in heavily populated urban environments as compared to the less populated southern border. In addition, the Army's countering effort there has to be multiplied because of the higher quantity of drugs from domestic and foreign grown that funnel through this area. Like a double-edged sword, the workload of the containment mission there is increased because the army also has to be on the lookout for loads of drug money and the smuggling of weapons being transported south into Mexico.

#### **D. SOCIALLY "INTRUSIVE" ROLES FILLED BY THE MILITARY**

##### **1. The Military's Role in Police Functions**

Of all the other roles the military fulfills in society, its involvement in police functions is the most visible because it operates in public view. It is also more intrusive of society because it fulfills a critical job the police cannot be trusted with. Consequently, the military's role in this capacity further marks the potential of this involvement to stand as a hindrance to the democratic process. The subject of concern in this area is not so much the military's support to civilian authorities in counter drug operations, but their actual fulfillment of police functions as agents of the law. This direct function is responsible for the great distinction between Mexico's use of the military in domestic affairs, and those in mature democracies like that of the U.S.

In 1996, during an effort to purge and realign the Public Security Secretariat (SSP), which is responsible for the safety of Mexico City's residents, the government brought in the military. In this effort, almost "every major SSP official was removed and replaced by a military officer."<sup>201</sup> Starting from the top of the SSP, Division General Enrique Tomas Salgado Cordero was put in charge of that organization supported by five

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<sup>200</sup> Turbiville, Graham H. Jr. Foreign Military Studies. "Law Enforcement And The Mexican Armed Forces: New Internal Security Missions Challenge The Military." Pg. 7. Date: February 23, 2000. Downloaded September 3, 2001 from <http://call.army.mil/call/fmso/>.

<sup>201</sup> Turbiville, Graham H. Jr. Foreign Military Studies. "Law Enforcement And The Mexican Armed Forces: New Internal Security Missions Challenge The Military." Pg. 2. Date: February 23, 2000. Downloaded September 3, 2001 from <http://call.army.mil/call/fmso/>.

colonels and lieutenant colonels, and 11 other generals.<sup>202</sup> Three of these generals were appointed to newly created SSP posts including the Executive Director of Public Security Programs, Deputy Director of Operational Communications, and Director of Operational Logistics.<sup>203</sup> However, Mexico City is just one example of the militarization of strategic areas to address internal problems.

Under the SSP, the Federal Preventive Police (FPP) was designed specifically to combat major drug trafficking and organized crime.<sup>204</sup> According to Jorge-Luis Sierra, this group is lead by the military, and has a brigade of military police.<sup>205</sup> In fact, in a massive raid on crime and drug trafficking in Mexico City in the summer of 2001, about 18 thousand military, state and federal police agents were under the planning and direction of General Francisco Arellano Noblecia.

In other parts of the country, military personnel have also replaced members of the Federal Judicial Police (PJF) and State Judicial Police (PJE). For example, in December 1997, General Guillermo Alvarez Nahara was named the leader of the PJF.<sup>206</sup> In many instances, lower ranking military officers and former military personnel have also been assigned as police agents, since police corruption is found along the full spectrum of those institutions-from leaders to subordinates. In fact, Army officers replaced police leaders in the SSP, including Task Force Zorro, a counter-terrorist unit.<sup>207</sup>

Even after Mexico's transition to democracy, President Fox made a controversial decision by continuing to use the military in a police role. The political appointment of Brigadier General Rafael Marcial Macedo de la Concha as the Attorney General of Mexico stands as the capstone to this continuing problem.

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<sup>202</sup> Ibid. Pg. 2.

<sup>203</sup> Ibid.

<sup>204</sup> Turbiville, Graham H. Jr. Foreign Military Studies. "Mexico's Evolving Security Posture." Pg. 5. Date: August 10, 2001. Downloaded September 3, 2001 from <http://call.army.mil/call/fmso/>.

<sup>205</sup> Correspondence and interview via the Internet with Jorge-Luis Sierra, security specialist on Mexico in Mexico City. [jlsierra@hotmail.com](mailto:jlsierra@hotmail.com). Date: November 14, 2001.

<sup>206</sup> Ibid.

<sup>207</sup> Turbiville, Graham H. Jr. Foreign Military Studies. "Law Enforcement and the Mexican Armed Forces: New International Security Missions Challenge the Military." Pg. 3. Date: February 23, 2000. Downloaded September 3, 2001 from <http://call.army.mil/call/fmso/>.

As if the actual fulfillment of police functions as policy that is counter to the democratic process is not enough, the problem that results causes another area of concern. The long-term involvement of the Mexican military as a national constabulary has led to human rights violations. The lack of training in police functions and human sensitivities has in many cases resulted in unnecessary and excessive use of force, and deadly force. Furthermore, the use of the military in a police role is a duplication of effort that results in redundant expenditures and should be reconsidered. Perhaps as a counterargument since the military is more effective than police in this capacity, disbanding the police forces might prove to be a cost effective measure. Savings would be possible because given the military's capacity, it does not require as many personnel and equipment to accomplish the missions not being fulfilled by police forces.

## **2. The Military's Role in Intelligence Collection**

The issue of intelligence collection alone is another major dilemma since the military's connection to this arena makes the consolidation of democracy in Mexico an even more problematic one. To date, the literature has not revealed a connection between the military and intelligence collection in conjunction with civilian intelligence agencies in Mexico. However, during an interview with members of the Mexican military in confidentiality, this author has learned that the military assigns officers to the federal government's Centro de Investigacion y Seguridad Nacional (CISEN) [Center for Investigation and National Security] as operatives in order to gather intelligence on civilians.<sup>208</sup> Unlike most democracies, the U.S. model forbids the CIA and the military from collecting intelligence on civilians because of constitutional issues. However, to the detriment of Mexico's new democracy, the government still allows such activities.

Considering CISEN's historical violations of constitutional rights due to its autonomy, the role of the military in this capacity indicates the situation was more problematic than originally believed. The new issue stems from the fact that information linking CISEN to political espionage, killings, kidnappings, and other violations of the law, implicates the military. This combination proved to be a volatile mixture during the pre-transition period, and because little has changed, this mixture is still problematic to Mexico's transition to democracy.

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<sup>208</sup> Confidential interview with Mexican military officers in the Summer, 2001.

### **3. The Military's Role in Civic Action and Internal Humanitarian Missions**

#### ***a. Provider of Food, Medical & Dental Services***

In addition to other domestic functions, the Mexican military attempts to feed the hungry and provide medical and dental services in remote areas. Primarily, the military conducts these missions because those organizations charged with these duties cannot deliver those services, or do not have the resources to do so. During an interview with the Wall Street Journal last year, a Mexican general discussed the Army's involvement in civil-military relations. "We do everything," said General Jose Gomez Salazar, during his visit to an Army-run social-services camp where 100 Mayan women, many cradling children, were lined up to receive a prepared meal.<sup>209</sup> Although seemingly non-threatening, one author questions the military's function in this area. Jorge Luis Sierra, a security specialist on Mexico, suggests this mission allows the military to gather intelligence on the extent of social crisis.<sup>210</sup> Perhaps a more appropriate question given the expansion of the military role and jurisdiction is to ask, "Is the military attempting to win the hearts and minds of the indigenous people?" If so, "For what reason?"

The Army and Air Force also provide medical services to many remote areas because civil entities charged with these functions are inefficient. However, whether the military conducts these missions for intelligence or simply because civic institutions are not capable, the fact remains that the military is counted on to fulfill that role. The military's role in this function also de-legitimizes other civilian institutions charged with those tasks.

#### **E. CONCLUSION**

Mexico is correct in identifying the insurgency and illegal drug problems as security issues they must face in full force. However, they do not realize that countering those threats with the military's involvement to the extent that it is, is a costly mistake that further hinders Mexico's consolidation of democracy. The military stands as an obstacle to democracy because of the extent of militarization as measured by all of the

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<sup>209</sup> Wall Street Journal, "Army Takes a More Public Role as Mexican Democracy Grows." January 31, 2000. Pg. 1.

<sup>210</sup> "Always Near, Always Far: The Armed Forces in Mexico." Global Exchange and Centro de Investigaciones Economicas y Politicas de Accion Comunitaria 2000. Pg. 33.



different roles it fills in society, and its physical presence throughout the countryside. Furthermore, the decentralization of command and control of the military, the modifications and improvements it has made to effectively meet those threats, as well as the expansion of its jurisdiction has made the military too strong, and too autonomous. These prerogatives further endanger Mexico's consolidation of democracy because even after the new transition, there is an absence of executive and legislative controls over the military.

In the next chapter, we reassess the issues analyzed previously, since they are emerging as more problematic after the transition to democracy. In one area, the military emerges from the transition with a renewed counter insurgency and counter drug mission armed with explicit approval to collect intelligence on civilians. Furthermore, the intelligence services are unmasked, that is, every state in the republic has an intelligence service that functions without any federal executive or legislative oversight. Another area of concern is the transformation taking place within the insurgency movement into sophisticated groups, some of which could now be labeled as terrorists. Also, politicians who are just now learning to operate in a new environment of political freedom pose another emerging problem. For example, they could perceive any efforts made by politicians to impose constraints over the military as threats to their prerogatives. These threats could cause the spark that ignites the volatile mixture composed of military prerogatives, and explode into the contestation of authority.

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## **V. EMERGING PROBLEMS AFTER THE TRANSITION TO DEMOCRACY**

The new democracy in Mexico has not addressed the civil-military problems raised in this thesis. On the contrary, the situation has gotten worse, leading to an increase in the military's internal presence and roles, and expanding military prerogatives. Rather than empowering civilian institutions and tightening the grip of the military establishment, as democratization theory would lead us to believe, the opposite has occurred. With the transition to democracy, the military has gained the additional prerogative of a legitimized role of officially collecting intelligence on civilians.

Also, with a transition, one could expect the concerns of previously excluded groups to be addressed, but here too, the opposite has occurred. New insurgent groups have surfaced and claimed responsibility for attacks throughout Mexico since Vicente Fox took charge. Furthermore, because Mexico now has a democratically elected government, some previous insurgent groups can now be classified as terrorists, thereby increasing Mexico's security dilemma. Finally, these groups are growing in sophistication in their methods and tools, targeting American-owned businesses in Mexico, thereby jeopardizing historically fragile U.S.-Mexican relations.

Politicians are just now learning how to exercise their powers in a new environment of political freedom. A lesson they will have to learn quickly is the impact of their Congressional powers, as well as a sense of proportion, especially in those areas affecting military prerogatives. As stated previously, the fact that military has not contested authority since 1946 simply means that the president or the Congress has not challenged the military. With renewed powers today, the president or the Congress could threaten the military's prerogatives, a measure that could encounter a volatile mixture of military contestation and resistance.

### **A. THE MILITARY'S INCREASED ROLE IN INTELLIGENCE COLLECTION**

As if the military's previous involvement in society with police functions and some intelligence collection activities were not of enough concern, their penetration of society has just recently increased. The military's reach is accentuated by a legitimized

role in the collection of information on civilians, a problem that further strikes at the heart of democracy.<sup>211</sup> The military and CISEN are now officially partners in the collection of intelligence within Mexican society for the purpose of tracking down terrorist and insurgent groups, organized criminal elements, and drug gangs.<sup>212</sup> To help facilitate their efforts, this intelligence collection task force has been cleared to eavesdrop on civil and political organizations by way of telephone interceptions, spying and infiltration.<sup>213</sup> In order to understand how the military further hinders the democratic process in Mexico in light of their new role with CISEN, we must know how CISEN operates in Mexico's society.

## **B. UNCONTROLLABLE INTELLIGENCE SERVICES: CISEN AND STATE INTELLIGENCE SERVICES**

The additional role the military now has in collecting intelligence is problematic because CISEN's methods of operation also lack executive and legislative controls and oversight. In this capacity, the military is less restrained and more intrusive because as it learns CISEN's methods, it further undermines authority and runs counter to the democratic process. An indicator that Mexico has a huge problem with illegal spying is the recent case in which CISEN spied on Fox, then a presidential candidate, when they illegal wiretapped his phones.<sup>214</sup> However, that was not surprising since the PRI regime would traditionally give CISEN orders to spy on opposition candidates and other enemies.

Mexico can be considered to have uncontrollable intelligence services not just due to their autonomy, but also in the quantity of those agencies existing within Mexico. El Universal Newspaper of Mexico City in July 2000 quoted the new National Security Advisor, Adolfo Aguilar Zinser, saying there are many intelligence groups in Mexico.<sup>215</sup>

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<sup>211</sup> Milenio [Newspaper]. Article by Maria Idalia Gomez; "Reanudan Escuchas Contra Organizaciones Subversivas. [Translated as: Listening in on subversive organizations is renewed.] 22 Aug 2001. eldiariodemonterrey.com.mex.

<sup>212</sup> Ibid.

<sup>213</sup> Ibid.

<sup>214</sup> FBIS translated text. (Internet downloaded 25 July from <http://199.221.15.211>). Document ID: LAP20010716000008. Title: "Fox Advisor on State-Level Spying, Cisen Evaluation." Date of source: 07/16/2001 by Mexico City "El Universal."

<sup>215</sup> FBIS translated text. (Internet downloaded 25 July from <http://199.221.15.211>). Document ID: LAP20010716000008. Title: "Fox Advisor on State-Level Spying, Cisen Evaluation." Date of source: 07/16/2001 by Mexico City "El Universal."

In fact, in discussing a proposed National Security Law, Zinzer replied that ‘all’ states have an intelligence service.<sup>216</sup> This information implies that Mexico is plagued with intelligence groups spying on each other. The literature on this issue further seems to indicate that each governor has an intelligence group reporting to them on their investigations and monitoring activities of politicians, businessmen, and social leaders.<sup>217</sup> In one example, while the federal police was investigating a kidnapping ring in Mexico City, they accidentally discovered an intelligence group (working for the state of Mexico) while they were conducting illegal wiretaps.<sup>218</sup> Due to uncontrollable behavior in the past, the intelligence organizations have lost their legitimacy in the eyes of the public and are about to get worse if left unchecked.<sup>219</sup>

### 1. Why the CISEN-Military Connection Further Undermines Mexico’s Democracy

To further appreciate the complexity of the problem posed by the military in its new role, one must understand CISEN’s autonomy and intrusion of Mexican society in the pre and post transition. Furthermore, understanding how CISEN operates will give an indicator as to how the military will further undermine authority and the democratic process.

During Mexico’s pre-transition to democracy, CISEN can be classified as having been a *Political Police* based on its **Autonomy** and **Penetration** of society.<sup>220</sup> In his book, Peter Gill classifies intelligence groups based on their level of **Autonomy** and **Penetration**, and in this thesis, they are compared against emerging evidence about CISEN.<sup>221</sup>

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<sup>216</sup> Ibid.

<sup>217</sup> FBIS translated text. (Internet downloaded 18 July 2001 from <http://199.221.15.211>). Document ID: LAP20010716000076. Title: “State intelligence said to Report To Governor On Opposition.” Date of source: 07/10/2001 by Mexico City “El Universal.”

<sup>218</sup> FBIS translated text. (Internet downloaded 25 July from <http://199.221.15.211>). Document ID: LAP20010716000080. Title: “Attorney General Expands Investigations on Telephone Espionage.” Date of source: 07/11/2001 by Mexico City “NOTIMEX.”

<sup>219</sup> “Report: Mexican Attorney General’s Office Uncovers Spy.” CNN on the web. Down loaded 7 July 2001 from <http://www.cnn.com>.

<sup>220</sup> Peter Gill. “Policing Politics.” Frank Cass, 1994. Pg 60.

<sup>221</sup> Ibid. Pg. 79. An organization’s **autonomy** refers to the relationship between the intelligence agency and the state (as a nation). This autonomy refers to how its policies and practices are affected by external influences. **Penetration** is characterized by its use of a variety of techniques including surveillance, unlawful wiretaps, and infiltration of various groups.

During Mexico's pre transition to democracy, CISEN can be labeled a political police because its **autonomy** is confirmed by several factors. CISEN was autonomous from democratic policy-making, was insulated from the legislature and judicial review, was responsive to the party (PRI) in power, derived powers and responsibilities from loosely defined delegations of executive power; gathered political intelligence unrelated to specific offenses, and conducted aggressive countering operations against the political opposition.<sup>222</sup> It also enjoyed high autonomy because the government did not control the agency (but the PRI did), CISEN decided on the targets for espionage, kidnapping, and other methods. Also, CISEN decided how it gathered intelligence (unlawful wire-taps, surveillance, infiltration, and torture, etc), and how it employed its counter-measures.<sup>223</sup> For these reasons, CISEN can be classified as having a medium level of *penetration*, but cannot be classified as having high penetration when compared to the activities of other more repressive governments such as the KGB during the former Soviet Union. However, CISEN also met one of the conditions of the independent security state, in that the agency could select the targets for information gathering.<sup>224</sup>

After the transition, CISEN became the subject of national and international attention as its secret files were opened to investigators who concluded several points, and confirmed many people's beliefs. For example, evidence confirmed that CISEN had been responsible for many of the political kidnappings and disappearances of PRI political opponents.<sup>225</sup> CISEN was further responsible for conducting many wiretaps without judicial approval, while also spying on ordinary citizens to collect intelligence without warrants or court orders. Furthermore, days before the inauguration of President Fox, CISEN is reported to have been recording the phone conversations of over 400 people in Mexico City, and another 1,000 throughout Mexico; this is in addition to the 400 million files of people investigated by CISEN since 1989.<sup>226</sup> This evidence, together

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<sup>222</sup> Ibid.

<sup>223</sup> Ibid.

<sup>224</sup> Ibid. Pg. 61.

<sup>225</sup> <sup>225</sup> "Mexico-Espionage Mexican Intelligence Listens in on Politicians, Diplomats, Media." Financial Times Information, 28 November 2000. EFE News Services (U.S.). Obtained 5 June 2001.

<sup>226</sup> "Mexico-Espionage Mexican Intelligence Listens in on Politicians, Diplomats, Media." Financial Times Information, 28 November 2000. EFE News Services (U.S.). Obtained 5 June 2001.

with testimony that the military worked with CISEN during Mexico's pre transition phase, is a strong indicator that the military has been undermining executive and legislative authorities for several years.

During Mexico's post-transition to democracy, CISEN can be classified as a semi-independent security state and political police. Although one would believe that controls would be established over the intelligence services with the beginning of democracy, for Mexico, no change has occurred. Given the lack of government legislation today, CISEN now enjoys more freedom from controls and oversight than before. As a result, if CISEN will continue unimpeded as it has been, we can predict that the military's involvement with them will further run counter to Mexico's democracy. In the table below, a comparison of CISEN's autonomy and penetration is analyzed during the pre and post transition to democracy.

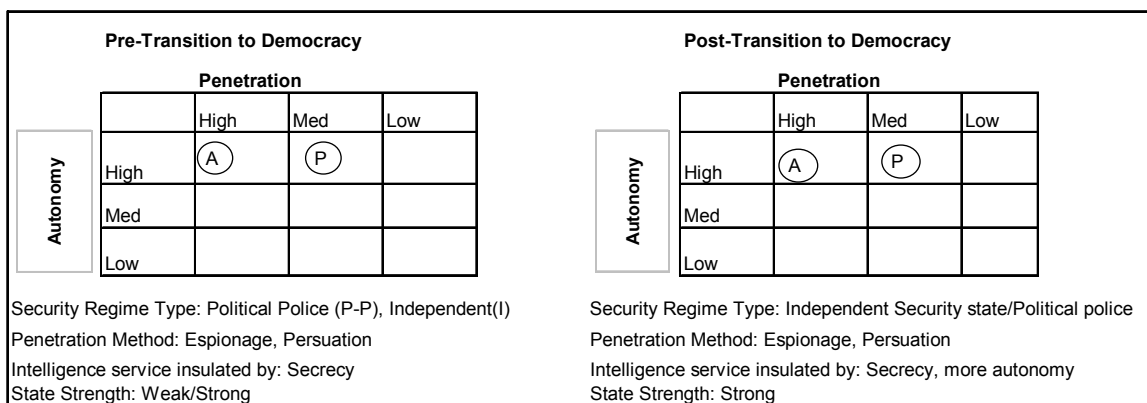


Figure 8. Comparison of Mexico's Intelligence in Pre and Post Transition

In the post transition, CISEN's future *penetration* of society is yet to be determined since modifications have only been talked about. To date, the government has only advised CISEN to exercise a self-imposed code of conduct as a control measure.<sup>227</sup> However, given the new freedom of the press and public awareness about CISEN activities, their penetration of society could be minimized to some extent. For now, CISEN's intrusion of society, and for that matter the military's intrusion in this capacity, can be gauged as medium.

<sup>227</sup> FBIS translated text. (Internet downloaded 25 July from <http://199.221.15.211>). Document ID: LAP20010716000008. Title: "Fox Advisor on State-Level Spying, CISEN Evaluation." Date of source: 07/16/2001 by Mexico City "El Universal."

CISEN's *autonomy* is still high, but is now legitimized based on weak government decisions. CISEN's autonomy is considered high because the government does not have regulations in place to control the various state intelligence services nor do their activities have to be coordinated or supervised by a central authority under executive control. Furthermore, agencies are not linked in any way or combined in one group for the purpose of sharing information.<sup>228</sup>

In summary, the new democratic government in Mexico has to date failed to introduce constitutional, legislative, and judicial controls and oversight over the intelligence services. Because of lack of democratic controls, CISEN and the other state agencies will continue to pose problems in society. Furthermore, the military's official involvement in intelligence collection will only increase their hindrance of the democratic process, since they will more than likely adapt CISEN's methods of operations. Even after Mexico's transition to democracy, which in theory is a move towards more protection for its citizenry, no changes have occurred.

### **C. NEW INSURGENT GROUPS**

The insurgency movement in Mexico is becoming more problematic because the numbers of groups are growing and they are on the brink of forming alliances. Forecast International recently announced that four new groups declared themselves in Mexico sometime after June 2000.<sup>229</sup> More recently, according to the same source, Mexico's intelligence service identified 16 radical guerrilla groups having a presence in 16 states, backed by nearly 30,000 participants in 167 political and social organizations.<sup>230</sup> On August 8, 2001, explosions occurred in three branches of Banamex (Bank of Mexico) caused by Fuerzas Armadas del Pueblo (FARP).<sup>231</sup>

On September 1 2001, a new insurgent group and possibly number 17 in the country, the Group of Guerrilla Combatants of Jose Maria Morelos y Pavon claimed

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<sup>228</sup> FBIS translated text. (Internet downloaded 25 July from <http://199.221.15.211>). Document ID: LAP20010716000008. Title: "Fox Advisor on State-Level Spying, CISEN Evaluation." Date of source: 07/16/2001 by Mexico City "El Universal."

<sup>229</sup> Forecast International. Latin American and Caribbean Section. "Mexico: Analysis." June 2000, Pg. 4. Website: [forecast1.com](http://forecast1.com).

<sup>230</sup> Ibid. Pg. 7.

<sup>231</sup> El Diario de Monterrey. "Dictan formal prision a los cinco presuntos integrantes de las FARP." August 23, 2001. <http://www.diariodemonterrey.com.mx>.



responsibility in two separate explosions apparently aimed at U.S. owned businesses.<sup>232</sup> One explosion occurred at a Chevrolet showroom operated by General Motors in Mexico City, and the other at a McDonalds fast food chain near another Chevrolet showroom. Although only a few activities have been discussed in this section, many more examples made public indicate that insurgent groups pose a real threat in Mexico. Acts of terrorism also occur periodically such as when a car bomb exploded in Mexico City and in three other places, including one at the government palace of Acapulco.<sup>233</sup>

There are indicators suggesting that some of these groups have a higher level of sophistication than others. For example, in a recent explosion in Mexico City near the American Express Bank, the seat of a bicycle was rigged with explosives and detonated from a distance with a remote-control device.<sup>234</sup> Also, according to seized documents from the Revolutionary Armed Forces of the People (FARP) and the Revolutionary People's Army (ERP) by the Mexican Office of Attorney General, these groups claim to have experts on harmful chemical and biological weapons, including surface-to-surface and surface-to-air missiles.<sup>235</sup> Because Mexico is one of the countries that produce Anthrax, and possibly other harmful biological and chemicals substances, it is plausible these groups do have such experts.

Mexican insurgency analyst Juan Fernando Reyes Palaez, himself a former member of the "Communist League of the 23 of September," said that members of eight confirmed insurgency groups met before the uprising in Chiapas in 1994.<sup>236</sup> However, it is not known if these eight groups corroborated with comandante Marcos and the EZLN, but the mere fact that they met before that operation, should be cause for concern for both the U.S. and Mexico. The U.S. should not underestimate Mexico's insurgent groups since

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<sup>232</sup> "Small Bomb Explodes At Mexico City." CNN on the web. Downloaded September 2, 2001 from <http://cnn.worldnews>.

<sup>233</sup> Oppenheimer, Andres. "Bordering on Chaos. Mexico's Roller-Coaster Journey Towards Prosperity." Little Brown and Company 1996, 98. Pg. 61.

<sup>234</sup> El Diario de Monterrey. "Explota Una Bomba Frente a Centro Commercial de Atenas." [Translated as: A bomb explodes in front of a commercial center belonging to Atenas]. Millenio. 15 Nov 01. <http://www.diariodemonterrey.com>.

<sup>235</sup> FBIS translated text. (Internet downloaded 15 August from <http://199.221.15.211>). Document ID: LAP200108000075. Title: Armed Group's Chemical, Biological, Missiles Capabilities Cited. Date of source: 08/27/01. Mexico City "El Universal."

<sup>236</sup> Ibid. Pg. 4. Website: forecast1.com.

at least a few of them could be classified as terrorists, especially after considering the fact that some of their bombs have already targeted American companies.

The troublesome groups in Mexico seem to be characterized as social revolutionary in nature, but their identification differs. “The hit-and-run tactics employed by irregular forces against a strong military normally characterizes *guerrillas*.”<sup>237</sup> Conversely, *terrorism* is often described as the use of violence or the threat of it, to achieve political objectives, and when such violence is intended to control a population or coerce a government into granting concessions.<sup>238</sup> Furthermore, according to a terrorism expert, Professor Maria Rasmussen at the Naval Postgraduate School in Monterey, California, it has also been argued that when people refer to terrorists, “we imply that the regime [in power] is legitimate.”<sup>239</sup> Insurgents are also normally characterized as controlling some piece of territory.

Therefore, the Zapatistas and other groups in Mexico can be considered insurgents, while other groups can be classified as terrorists because they are attempting to achieve some political objective with terror tactics against the legitimate government. In fact, from captured documents, the Prolonged People’s War Guidelines promote the “political and military harassment of the enemies: the government [of Mexico], the bourgeoisie and the Army.”<sup>240</sup>

The most notable insurgent groups in Mexico’s recent history have been: Ejercito Zapatista Liberacion Nacional (EZLN), Ejercito Popular Revolucionario (EPR), Ejercito Indigena Clandestino de los Marginados del Pueblo de Guerrero; Frente Magnista de Liberacion Nacional, Milicias de la Sierra Madre, and the Ejercito Revolucionario Insurgente Popular (ERIP). One thing that distinguishes these insurgent groups from others in Latin America is that they are not known for tapping the illegal drug trade for

<sup>237</sup> Moyano, Maria Jose. “Argentina’s Lost Patrol.” Yale University Press (1995). Pg. 3.

<sup>238</sup> Discussion with Dr. Maria Rasmussen, professor at the Naval Postgraduate School and author of “Argentina’s Lost Patrol.” In work for her doctoral dissertation, Dr. Rasmussen interviewed over 40 terrorists from different groups. 20 November, 2001.

<sup>239</sup> Moyano, Maria Jose. “Argentina’s Lost Patrol.” Yale University Press (1995). Pg. 3.

<sup>240</sup> FBIS translated text. (Internet downloaded 15 August from <http://199.221.15.211>). Document ID: LAP200108000075. Title: Armed Group’s Chemical, Biological, Missiles Capabilities Cited. Date of source: 08/27/01. Mexico City “El Universal.” This information was found in the Prolonged People’s War Guidelines by either the Revolutionary Armed Forces of the People (FARP) or the Revolutionary People’s Army (ERP).

financing. Unlike the Peruvian Sendero Luminoso (Shinning Path) and others, which have clearly been linked to drug organizations for funding, Mexican groups seem to take a different avenue. For example, a link has been established between some Mexican groups and terrorists from Europe, but a clearer source has been to bank robberies and kidnappings for ransom.<sup>241</sup>

#### **D. TESTING THE WATERS: THE POLITICIAN'S DILEMMA OF EXERCISING CONTROL OVER THE MILITARY IN A NEW ENVIRONMENT OF POLITICAL FREEDOM**

With the new transition that began in 2000, the political institutions in Mexico are learning to cope with the new freedoms gained. A common issue for legislators, is figuring out how to play in the game in the democratic arena without pressure from PRI strongmen. In this new environment of political freedom, legislators have to decide which executive programs to debate, which to scrutinize, and which to support.

Above all others, and central to this section of the thesis, it is important to ask, “Will the Congress establish legal mechanisms to oversee the military in Mexico?” Also, “Will the Congress debate and pass legislation to enable civilian-lead institutions for controlling the armed forces?”

Both questions are central to the issue in Mexico's new democracy, but legislators must first establish a common bond to bring about democratization. Speaking to a group of cabinet secretaries, governors, and diplomats, President Fox sent the right message when he appealed for a national political accord in July 2001. “A new accord among all political forces is urgently needed in order to consolidate democracy, banish every vestige of authoritarianism, and develop common ground on reform of the state, an accord that rules out inflexibility but also respects convictions.”<sup>242</sup> In reality, however, president Fox only needs support from the majority, but even in this attempt, problems of human behavior occur.

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<sup>241</sup> Forecast International. Latin American and Caribbean Section. “Mexico: Analysis.” June 2000, Pg. 4.

<sup>242</sup> FBIS translated text. (Internet downloaded 15 August from <http://199.221.15.211>). Document ID: LAP20010703000064. Title: Fox appeals for National unity. Date of source: 07/3/2001 by Mexico City “El Universal.”

In “The Breakdown of Democratic Regimes,” Linz states that the disappointments and frustrations that appear in the initial regime-building coalition produce conflict.<sup>243</sup> Linz further observes that because government leaders become too preoccupied with constitutional and legislative debates in the new environment of political freedom, “implementation of such broad agendas tends to become practically impossible.”<sup>244</sup> In one of several types of cases, the Mexican Congress recently filed a lawsuit against the president, claiming that Fox over stepped his bounds and infringed on the authority of the legislature by modifying the Regulation of the Law of Public Electrical Service.<sup>245</sup>

Although it is healthy and acceptable for politicians to disagree and oppose legislation, there is a difference between loyal and disloyal opposition. By loyalty, Linz refers to a party’s commitment to the democratic process whether it is in favor or in opposition on a particular piece of legislation.<sup>246</sup> However, Mexico or any new democracy should be cautious of any political party that is disloyal to the democratic process. Signs of withdrawing from the legislature and a refusal to participate in parliamentary debates can result in de-legitimizing the political bureaucracy.<sup>247</sup>

Adapting and performing successfully in Mexico’s old but now unfamiliar political arrangement will be a struggle in and of itself for members of the legislature. Because this issue will stand as an obstacle for some time, there can be little hope for the rapid establishment of democratic controls over the military apparatus in light of its expanding jurisdiction, autonomy and increased internal role. Therefore, politicians and the president should exercise caution in their attempts to disarm the military from their high number of prerogatives. Because threats to military prerogatives have proven to be a volatile mixture in other Latin American countries, the Mexican president and the legislature should take measured steps at democratizing the control of the military.

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<sup>243</sup> Linz, Juan J. *The Breakdown of Democratic Regimes*. The Johns Hopkins University Press, 1978. Pg. 42.

<sup>244</sup> *Ibid.* Pg. 42.

<sup>245</sup> FBIS translated text. (Internet downloaded 15 August from <http://199.221.15.211>). Document ID: LAP200106128000095. Title: Legislature Challenges Executive Branch on Limits to Power. Date of source: 06/28/2001. Mexico City “El Universal.”

<sup>246</sup> Linz, Juan J., and Stepan, Alfred. “Problems of Democratic Transitions and Consolidation.” The Johns Hopkins University Press, 1996. Pg. 30.

<sup>247</sup> *Ibid.*

## **E. WHY DEMOCRATIC CONTROLS ARE IMPORTANT FOR MEXICO**

Juan Linz believes that when governments co-opt the military in order to gain a pledge of support, it indicates that the normal implicit loyalty of the armed forces is in doubt.<sup>248</sup> In this case, Mexico is no different from other Latin American countries. Although the official argument of the Mexican political machine is correct to some extent in that the military is non-threatening because there have not been any recent military coups, certain governmental actions send a different message. For example, Enrique Rojo, at the Mexican Embassy in Washington declared that since the military stood peacefully-by as the defender of the nation during the 2000 elections, it distinguished itself as being loyal to the democratic process.<sup>249</sup> Nevertheless, the new Fox administration, like “all” those before it, felt it necessary to seek the support of the military command by co-opting active duty generals with cabinet positions or other political appointments. In light of the new transition to democracy, does Fox feel the need to ‘earn’ the support of the military?

The Fox administration is well aware of the history of the Caudillos and repression at the hands of military leaders in Mexico’s history, and the recent legacy of high military prerogatives. Fear of the military apparatus might explain why there have been irregularities in the lack of government response to human rights violations and other atrocities at the hands of the military, and military-CISEN activities as recently discovered. Many officials hope Fox will not allow public access of CISEN documents for fear of opening a ‘Pandora’s box.’ Meanwhile, people in Mexico still demand justice for the massacring of over 500 students in 1968 in Mexico City by the military because the government has not taken appropriate action against their leaders. Overall, members of the military and their commanders have not been prosecuted for human rights violations throughout the many years of involvement in domestic affairs. In one recent example alone, between January and August of this year, 79 civilian complaints had

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<sup>248</sup> Linz, Juan J. *The Breakdown of Democratic Regimes*. The Johns Hopkins University Press, 1978. Pg. 70.

<sup>249</sup> Testimony by Enrique Rojo, First Secretary of the Political Section, Embassy of Mexico. Personal interview conducted on June 8, 2001 at the Mexican Embassy in Washington, D.C. by Sergio Villarreal. Embassy of Mexico 1911 Pennsylvania Ave., N.W., Washington, D.C. 20006. Phone number for Enrique Rojo is (202) 728-1606.

already been filed against the military without resolve for human rights violations during counter drug operations.<sup>250</sup>

Fear of prosecution for atrocities is exactly what the military fears as a result of Mexico's recent transition to democracy. That fear puts the Mexican military into the same situation as the militaries of Argentina, Brazil, Chile, and others discussed in Chapter II. Furthermore, it is precisely a perceived threat to the military's prerogatives Fox is attempting to avoid by not taking action on now unclassified CISEN documents and military atrocities, for fear of contestation of authority. He is further fully aware that his current situation with the military is very complex and does not want to push the issue of control. His caution in this matter can be understood but only to a limited extent. Mexico's militarization in recent years is measured by its presence in key areas, its decentralization of command and control, and its expansion of its roles and missions in society are prerogatives to which the military has already grown to accept. If the military were to feel threatened and contested authority or took control of the country, the military's success would be assured because of the extent of the country's militarization. Considering the military's extent of civic-action missions in which they are actively winning the hearts and minds of indigenous populations in many parts of Mexico, support for a military takeover by certain populations is possible.

Finally, the counterargument that a lack of military contestation in Mexico is proof of a peaceful military is inadequate and undermines the fact that the military's autonomy through prerogatives is what keeps them loyal. So long as they continue to exercise control of their prerogatives, they will not contest authority. However, what must be understood about the history of Latin America militaries is that many of the military coups occur not by generals in the high commands, but by colonels who are bold and have the motivation and support to contest. In 1996, the military successfully imprisoned General Gallardo only because he *peacefully* suggested a change of behavior for the military through an ombudsman. However, what would have happened had he gained support from among loyal troops first, and taken the presidency by force?

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<sup>250</sup> FBIS translated text. (Internet downloaded 15 August from <http://199.221.15.211>). Document ID: LAP20010813000069. Title: Generals Seek Formal Status for Army in War on Drugs. Date of source: 08/13/2001 by Mexico City "La Jornada."

This question is at the root of the concern for two basic issues for Mexico and its military today. The lack of democratic controls over the military, and the “void” of control that remained when the PRI lost control of the country, has left the military standing as a hindrance in Mexico’s consolidation of democracy.

## **F. CONCLUSION**

Mexico’s transition to democracy has not changed the problematic trends that started gaining momentum in the two previous administrations. The militarization trend of Mexico in response to insurgency and illegal drugs had already been well established at the height of the now defunct authoritarian regime. However, democratization has only increased the severity posed by the insurgency and terrorist movements, requiring an additional commitment of military forces to deal with such threats while gaining more prerogatives. The escalation of the military’s response is giving them a seat at the negotiating table as Mexico struggles to consolidate democracy. The transition is further allowing members of the legislature to finally experiment with the caliber of their constitutional powers. However, both the president and members of Congress should be cautious in their approach at attempting to subordinate the military under civilian control, in light of their tremendous autonomy and influence in society.

When will the military’s role expansion end, and what should be done to establish democratic controls over the Mexican military? In the final chapter, this author attempts to summarize the highlights of this research, the topic of which has only been addressed by very few authors. The conclusion is followed by a policy prescription, in which recommendations are made to President Fox on how to bring about Democratic controls over the military. Finally, a recommendation is made to the U.S. Government on how to improve U.S.-Mexican relations at a time that is ripe for amends for a history of bad relations between two neighbors.

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## **VI. CONCLUSION AND RECOMMENDATIONS**

### **A. CONCLUSION**

Mexico's transition to democracy in July 2000, considered an accomplishment against all odds according to many analysts, has caused a re-evaluation of Mexican politics. Prior to 2000, analysis normally revolved around debates over how to label its authoritarian form of government, and whether necessary conditions existed in Mexico to make a transition to democracy. The literature on Mexico abounds with books about its authoritarian and regime-related subjects, but very little has been written about its military, much less an in-depth analysis of the military's impact on society. In light of the new transition, high military prerogatives coupled with the lack of democratic controls, and the void of control left by the PRI make it likely that, the Mexican military will be a hindrance to the consolidation of democracy.

The unique relationship that emerged between the military and the PRI allowed the PRI to dominate Mexican politics for 71 year. Both grew dependent on each other for survival, one to remain in power, and the other to remain autonomous and for the right to exercise political influence. So loyal were these participants to each other that they went to great lengths to maintain their powers, including political espionage against opposition leaders, kidnappings, murder, and other types of pressure. These tactics in the hands of the military, including their involvement with CISEN recently, were responsible for the human rights violations in Mexico.

With a reward and punishment reinforcement mechanism, the PRI was able to exert its power over members of Congress and political opponents, but also to command the military's loyalty. Evidence suggests that the shifting of generals and their troops was a common measure of control over the military to prevent it from supporting or being too lenient with PRI opponents. As long as the PRI employed these measures of control over the military, there was no need for democratic controls over the military because manipulation sufficed.

After the PRI lost its power in July 2000, it left a void of control over the military since there are no alternative democratic controls in place to allow oversight of the armed

forces. The executive's assignment of political appointments to active duty generals in reward for their loyalty was the practice in Mexico during the last regime, and as I have shown, on the new one as well. Having a history of the military being manipulated for political ends against its society, Mexico's democracy cannot afford to have the 'guardians' guarding themselves. Their level of autonomy and penetration of society, especially when the PRI no longer controls them, is a volatile mixture.

Although other factors can also hinder Mexico's consolidation of democracy when joined, the lack of democratic controls over the military could be sufficient to prevent a successful outcome. However, in selecting the best course of action, Fox will have to adopt a realist approach at prioritizing his plan for democratization. Other issues could quickly become un-important if the executive cannot limit and control the military's actions. On the other hand, if the military is bound with democratic controls and lead by layers of ranking civilians, other necessary factors for consolidation can then be executed without fear of a military contestation. Unless Mexico establishes democratic controls over the military, the armed forces will continue to be "the last bunker" yet to be taken in achieving democracy in Mexico.<sup>251</sup>

## **B. RECOMMENDATIONS**

As in any other country just transitioning to democracy, Mexico has to address or solve some of the problems in the following five arenas outlined by Linz and Stepan: Civil Society, Political Society, Rule of Law, State Apparatus, and Economic Society.<sup>252</sup> In finding a prescription for any nation, however, it must be understood that no nation is the same before or after its transition to democracy, but all countries have to establish controls over the military if democracy is to be consolidated.

### **1. Recommendations for President Fox and the Mexican Congress**

President Fox should do everything in his power to bring about democratic controls of the military under civilian direction so that it will not stand as a hindrance in Mexico's consolidation of democracy. The president, with support from the Congress,

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<sup>251</sup> U.S. News and World Report. "A time of change for Mexico's military New president Fox seeks more accountability; Mexico City." By Andrea Mandel-Campbell and Thomas Omestad. Vol. 29, Issue 23, Pg. 48. Dec 11, 2000.

<sup>252</sup> Linz, Juan J., and Stepan, Alfred. "Problems of Democratic Transitions and Consolidation." The Johns Hopkins University Press, 1996. Pg. 14.

should develop a strategy to establish civilian control without making the military feel threatened, although the elimination of military prerogatives is exactly what the polity should do. The outline provided below is a model by which the executive and the Congress could establish democratic controls over the military under civilian rule.

A. Establish democratic controls:

1. Subordinate the status and power of the current secretaries of defense, the Army, Navy, and Air Force by placing them under civilian leaders with trained civilian cadres emplaced throughout the system. It should be similarly arranged as those discussed in the section of the minister of defense in Chapter II.
2. Replace cabinet positions held by generals with civilians, and eliminate all the other prerogatives previously discussed.
3. The president and his civilian staff, along with advisors from the military should: conduct an assessment of the country's strengths, weaknesses, opportunities, and threats, and from that, develop a security plan.
4. The president and his civilian staff should further modify the military's roles and missions to support the presidential plan and, followed by establishing appropriate philosophy, training, and equipment. The plan should count on civilian organizations to carry out the bulk of the plan and only be assisted by the military as a last resort and with appropriate restrictions and rules of engagements under rule of law.

B. Modify roles and missions:

1. The president should reduce the military's internal role in counter drug operations and their assistance to police should only be extended as a support role. He should further rebuild the police systems with better pay, training, equipment and support so that they can re-legitimize their role in the eyes of the public.
2. Primary efforts should be given to end the military's role of intelligence collection on civilians and terminate their assignments to CISEN.

3. Remove the military from performing civic duties and increase support for those civilian organizations charged with such activities.
4. Redirect portions of the military to peacekeeping and humanitarian assistance outside the country.
5. Reduce the military's strength to a more manageable size, but better educated, professionalized and trained.

C. Congress should:

1. Take charge of their existing duties and powers under the constitution to restrict the military, and further create laws that will hold the military accountable for human rights abused from now on.
2. Create laws that include on-going oversight measures, and to promote legislation that supports a plan to send troops on peacekeeping missions around the world.
3. Develop legislation that will eliminate the state intelligence agencies, create a single federal intelligence agency with training on the rule of law in a democracy, and their role in it. This organization should also be directed externally so that Mexican citizens are not the victims of their trade.

**2. Recommendations for National Guard (state partnership program)**

In many ways, the National Guard of the United States is the model apparatus of civil-military relations in America. Unlike the active forces who respond to civilians at the federal level (executive and Congressional) and international issues, the civil-military relations of the National Guard transcends through the domestic, national, and international levels. On many types of occasions, the National Guard may be called to respond to floods in their respective states, guard airports in response to a national emergency, as well as fulfilling peacekeeping missions and humanitarian assistance to other countries. In all instances, members of the National Guard are exposed to civilians and civilian authorities. Through the *State Partnership Program*, the National Guard

interacts with other countries and their militaries in many positive ways, as in the case of the Texas National Guard having a partnership with the Czech Republic.

For these reasons, the National Guard is in a unique position to serve as a role model to countries transitioning to democracy because of its foundation in the citizen-soldier concept. What better way to keep the military under control than the very citizens who serve in it, and who themselves and their families are affected by military policies, thereby serving as a quality control mechanism. Through the State Partnership Program and others, the U.S. can open key channels of communication and cooperation at many levels with Mexico. “Why Mexico?”

Perhaps in no other time in history, has the U.S. had the unique opportunity to open channels of communication with Mexico because of the existing similarities and compatibilities between the two nations. Of particular significance, President Bush and President Fox have enjoyed a friendship since the times they were both governors, further sharing similar experiences and having a connection to individual citizens of their states. The sharing of a 2,000-mile border and a partnership in the North American Free Trade Agreement (NAFTA) has created an economic bond between both countries.

Not only is the time ripe to establish other relations with Mexico, but also the state of Texas and its National Guard could be the driving force behind these efforts because of common issues. The different types of commonalities between both countries should increase the success of creating a bridge of friendship. The increase in the Hispanic population of Mexican decent in the U.S. has established a unity of common cultures between the two republics, and Texas has some of the highest numbers.

Furthermore, and although an issue of contention in the past, Texas shares a history with Mexico like no other American state such as in the Battle of the Alamo, annexation of land, and other border disputes. However, at a time when depending on thy neighbor for increased security is critical, the time to make history right again is complete. The logic of attempting to establish relations must not be misunderstood as being one of convenience for the U.S., but rather, more of an opportunity for both countries to create a new history together.

It is for these important facts that the Texas National Guard could be the vehicle by which to initiate dialog and subsequently enhance communications between military-to-military (mil-to-mil), military-to-government (mil-to-gov), and government-to-government (gov-to-gov) on a routine basis. Particularly among units in the National Guard along the Texas Border, many soldiers speak Spanish and themselves share part of the Mexican culture, thereby heightening the understanding of sensitivities important in international relations.

The U.S. and Mexican governments find themselves at a time when they can both make historic gains by making amends for any failed histories resulting in friction, while also exploiting the opportunity to build on successful ones. Let our nations dare to be different from previous administrations by embracing the opportunity before us and make history right again.

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